

HISTORIC PRESERVATION COMMISSION (HPC)

AND

CITY PLAN COMMISSION (CPC)

JOINT MEETING

MONDAY, SEPTEMBER 15, 2008

REGULAR MEETINGS

1:30 P.M.

MILWAUKEE CITY HALL

200 E. WELLS STREET, ROOM 301-B

1 P R O C E E D I N G S

2 MS. NAJERA: Good afternoon. Welcome
3 to a joint session of the City Planning
4 Commission and the Historical Preservation
5 Commission. First we're going to take role call.
6 Vanessa.

7 MS. KOSTER: Vanessa Koster,
8 Department of City Development.

9 We'll start with Historic
10 Preservation Commission first. Patricia Balon.

11 MS. BALON: Present.

12 MS. KOSTER: Matt Jarosz.

13 MR. JAROSZ: Here.

14 MS. KOSTER: Sandy Ackerman.

15 MS. ACKERMAN: Here.

16 MS. KOSTER: Alderman Robert Bauman.

17 MR. BAUMAN: Here.

18 MS. KOSTER: Ann Pieper-Eisenbrown.

19 MS. PIEPER-EISENBROWN: Here.

20 MS. KOSTER: Sandra McSweeney.

21 MS. McSWEENEY: Here.

22 MS. KOSTER: And City Plan

23 Commission. Patricia Najera.

24 MS. NAJERA: Here.

25 MS. KOSTER: Michal Dawson.

1 MS. DAWSON: Here.

2 MS. KOSTER: Whitney Gould.

3 MS. GOULD: Here.

4 MS. KOSTER: Larri Sue Jacquart.

5 MS. JACQUART: Here.

6 MS. KOSTER: Stephanie Bloomingdale

7 is absent.

8 And J. Allen Stokes.

9 MR. STOKES: Here.

10 MS. NAJERA: Vanessa, will you give a
11 description?

12 MS. KOSTER: Yes. The Department of
13 City Development has scheduled a joint meeting of
14 the Historic Preservation Commission and the City
15 Plan Commission to consider New Land Enterprises'
16 proposed project at 1550 North Prospect Avenue, a
17 property that contains a locally designated
18 historic structure, the Frederick T. and Eleanor
19 Goll House.

20 The developer has applied for both a
21 zoning change to a Detailed Plan Development for
22 the entire project and a certificate of
23 appropriateness for the rehabilitation and
24 construction work that affects the exterior of
25 the historic building.

1 The City Plan Commission and Historic
2 Preservation Commission are meeting together to
3 work in partnership so that each commission can
4 hear the same presentation, hear all of the
5 public testimony, and hear each other's
6 perspectives on the project prior to taking
7 action.

8 After the development team presents
9 the project, the Department of City Development
10 staff will provide the commissioners with both
11 the City Plan Commission and the Historic
12 Preservation Commission recommendation.

13 And Scott Kindness from Kindness
14 Architects will start the presentation.

15 MR. KINDNESS: Thank you, Vanessa.
16 Thank you, Commissioners.

17 We have a two-part presentation for
18 you. First I'm going to give the overview of the
19 new construction, and turn it over then to Russ
20 Zimmerman who is going to go through the
21 restoration part. But it is one presentation.
22 And then Mr. Paul Demcak is going to make some
23 closing remarks.

24 I'd like to first start with the
25 contextual overview of the site, point of

1 orientation. Prospect Avenue is located here.
2 The subject property is here. The bike path is
3 here. The property line actually aligns with
4 the -- there's a retaining wall. And pardon the
5 interruption here but -- I'll just move ahead.

6 This is a view from the Hoan Bridge
7 taking a look at I think what is one of the more
8 remarkable views of our skyline. And it shows on
9 the left Kilbourn Tower, and on the far right
10 where you see the crane is actually Columbia
11 St. Mary's. That's the location of the subject
12 property.

13 And moving in a little bit further,
14 bookending the view, on the left is the
15 University Club, Kilbourn Tower, and on the right
16 you have the new Park Lafayette under
17 construction. And that's where the subject
18 property is located.

19 I'd like to take a little drive up
20 the street so everybody can see really just what
21 the neighborhood consists of. I assure you that
22 we're going the speed limit here. Starting at
23 the southern end, you saw the Breakwater which is
24 under construction. It's a 20-story building.
25 Moving further up the street you can see 1522 on

1 the left, is the diamond tour.

2 The neighborhood is really an
3 eclectic mix of diverse architectural styles,
4 tall buildings, short buildings, new buildings,
5 old buildings. One can't really escape the fact
6 that over the years it's become a very prominent
7 residential street and comprised of a lot of very
8 tall residential structures.

9 Coming up on the site here, you can
10 see that the Goll Mansion still isn't visible.
11 And there's a very narrow corridor due to, you
12 know, the close proximity of adjacent buildings.
13 You can see it on the right-hand side, right
14 there it has a little peeking through. But it's
15 also -- I think to be fair, a lot of it has to do
16 with some overgrown landscaping also.

17 And then that disappears, and then a
18 little bit further up the street you have the
19 Conservatory, which is right there. Again,
20 that's rather tucked in. Although, this is a
21 little bit broader structure, presents itself --
22 it's closer to the street, and it's also much
23 wider.

24 Just kind of moving ahead, here are
25 some stills of the neighborhood. These are some

1 of the older homes that are on the west side of
2 the street. It's probably the only location that
3 there are about four or five contiguous
4 structures that are retaining. Moving forward
5 you have some smaller apartments with some
6 taller, newer condos.

7 And you can see our site is actually
8 located right here. Moving up on the sidewalk
9 it's still really not that visible. You can see
10 some of the cars that are parked on the property.
11 And then moving across the street, you can see
12 that the gables start to present themselves, and
13 then you finally get a quick glimpse of the
14 mansion. And then as you move farther north,
15 that's when the landscaping starts to obscure it.
16 To be fair, in the winter obviously those leaves
17 go away and it has a little bit more visibility,
18 but you can see that it's surrounded by large
19 buildings. In the back, the same holds true.

20 And then looking south on Prospect
21 and coming up on the Conservatory, it's showing
22 how these, you know, elegant older homes are
23 tucked in with some of the newer architecture.

24 And then ending at the northern end
25 of the street, at least what we're considering is

1 the last mansion that's remaining, the Eye
2 Clinic, just north of the Landmark on the Lake
3 apartment building/condos.

4 These are just pulling back a little
5 bit and moving to Farwell, it's really difficult
6 to escape the fact that over the time that
7 Prospect Avenue has become one of the premier
8 residential streets. And as part of that it's
9 really kind of promoted that density and taller
10 buildings. One has to move quite a distance away
11 to actually escape that visibility of those tall
12 buildings.

13 And this is a panoramic view. This
14 shot was taken from the reservoir at North
15 Avenue. And this really kind of completes the
16 story here. Here you've got the Park Lafayette.
17 Here is Kilbourn and the University Club. And
18 what you see here is the majority of these tall
19 buildings are residential buildings, and they are
20 on Prospect Avenue. Just relatively that's where
21 our site is located.

22 Now just to take a quick walk along
23 the lakefront. The mansion does present itself
24 in a few corridors, but it's quickly taken away
25 as you move further away. On the bike path it is

1 remarkably overgrown at times. And Russell may
2 speak a little bit more about this, but the bike
3 path was originally a railroad track, so the back
4 side of these buildings weren't necessarily
5 visible, to their defense. Our site is just on
6 the left-hand side. You can see the gables. In
7 the winter you can actually see a little bit
8 more.

9 This aerial view I think really
10 represents what truly exists on the street.
11 There's a lot of very large, massive buildings up
12 and down the street. You've got -- our property
13 is here. The Conservatory of Music is here, and
14 the Eye Clinic building is here. You see there's
15 quite a few buildings that are quite massive and
16 also present themselves quite a distance to the
17 east.

18 This is the retaining wall that I
19 speak of. This is the eastern property line, and
20 here is the bike path. And there are some things
21 that -- and this is quite a monolithic wall
22 toward the southern end. And this is something
23 that isn't the most attractive a little bit north
24 of our property. And this is looking back, the
25 property is just beyond those trees.

1 Just a little thought about what --
2 the site is zoned RM-7, and what that means is
3 that unlimited height, 186 units would be allowed
4 on this site. The floor area allowed is just
5 about 112,000 square feet, and the building
6 volume setback requirements would be diagrammed
7 something like this. So we came up with a design
8 that fit within those parameters, tucked the
9 building behind the mansion to try to maintain
10 its identity. And I'm going to kind of go
11 through this quickly.

12 What the zoning -- the volume portion
13 of the zoning really fosters a bulkier, a more
14 massive building if you follow those and more of
15 a wedding cake type building, that would be not
16 too unlike this. With the height being
17 unlimited, this would be a 60-unit apartment/loft
18 type building which would be approximately
19 250 feet tall. And it fits within the volumetric
20 parameters that are put forth by the zoning
21 requirements.

22 And just to show you graphically how
23 that could look on the site, this is how that
24 would manifest itself. And then a view from the
25 lake.

1 We knew that there was a more elegant
2 solution, and we did speak with a variety of
3 groups that I'm going to name here. We did meet
4 with members of National Trust for Historic
5 Preservation, we met with the State Historical
6 Society, we met with Preserve Our -- or Milwaukee
7 Preservation Alliance, Preserve Our Parks group,
8 the Department of City Development, and Mr. Jim
9 Shields who is the former chairman of the
10 Historic Preservation Commission. And with their
11 filters in looking at this project, it became a
12 much better project with their input.

13 And I'm just going to skip right
14 ahead to what that could look like. And you can
15 see that it's a much more slender, more elegant
16 solution. And some of the comments and input
17 that we received were, construct the new building
18 behind the mansion, make the parking plinth, if
19 you will, which is this portion, a neutral
20 backdrop, and no more than approximately the
21 height of the existing mansion. Center the tower
22 on the site behind the mansion so the eastern
23 portion of the site, center the tower, and then
24 also move it -- and this is something that my
25 instincts were to put it directly behind the

1 mansion to give it a little more prominence --
2 but to center the tower more towards the south or
3 on the north/south direction. What that does is
4 it actually visually disassociates itself from
5 the mansion, as opposed to visually connecting to
6 it.

7 And I think that that's an important
8 feature, as one of the primary aspects of the
9 historic guidelines is to maintain the mansion's,
10 or an historic structure, individualized identity
11 or its traditional connection, in this case to
12 Prospect as a free-standing building.

13 From the lake view, it is a tall -- I
14 think Mr. Shield called it a needle-like
15 building. I think I'd prefer to use something a
16 little softer like candlestick -- but it is a
17 very slender building. You know, the existing
18 mansion itself is about 47 feet wide. Our
19 building is just a little bit over 60 feet wide,
20 and then there is a smaller portion that's about
21 64 feet wide. So we're not that much wider at
22 the tower portion than the actual mansion.

23 Just a little building comparison,
24 some of the buildings in the immediate area.
25 University Club Tower is 36 stories and 56 units.

1 Landmark on the Lake is 28 stories and 285 units.
2 Kilbourn Tower is 33 stories with 61 units.
3 Prospect Tower is 22 stories with 205 units.
4 1522 On The Lake, 19 stories with 99 units.
5 Diamond Tower, 22 stories, 119 units. Park
6 Lafayette, 20 stories and a proposed 313 units.

7 Our project is 26 stories with 35
8 units, and that's a maximum number of units as
9 I'll explain in a little bit. The 35 number of
10 units here represents 3 percent of just the total
11 on this slide. If you broaden the perspective
12 here, you can see that there are many more
13 buildings, so that percentage would significantly
14 drop.

15 A little bit about traffic. Back in
16 1994 you see the average daily trips at just
17 under 14,000. It's decreased slightly since
18 then. And back a couple of years ago we actually
19 submitted for approval to DPW, Department of
20 Public Works, another project that was more in
21 keeping with what's allowed by zoning, 186 units,
22 and they determined that it had no detrimental
23 impact on the neighborhood at the time. It
24 represented less than 6 percent of the total
25 average daily trips. As you can see, the

1 proposal before you today, at 35 units,
2 represents .04 percent of the average daily
3 trips.

4 Now, just a little bit about -- a
5 little bit more detail about the actual project.
6 Here's the mansion. Here is the proposed new
7 development. Prospect Avenue is here, the bike
8 path is here, the existing retaining wall is
9 here. Just going to walk you through some of the
10 features. We are proposing a turnaround that has
11 associated with it three spaces for drop-off and
12 pickup. We have nine dedicated visitor parking
13 spaces. So that is a total of 12 guest parking,
14 which gives us a little bit better than one to
15 three ratio, which I think is pretty significant
16 in terms of if you make a comparison to other
17 buildings on this street. So we have a
18 tremendous amount of proportionally off-street
19 parking.

20 As I stated before, the parking
21 plinth is located behind the mansion to create a
22 neutral backdrop. The tower itself has been
23 shifted to the center of the remaining eastern
24 portion of the site to create a disassociation
25 with the mansion. There is a significant amount

1 of green space landscaping, which I do have --
2 we'll talk about in a little bit.

3 This is a section as if you were to
4 saw through the building and look towards the
5 north. Here's the mansion. There is a
6 minimalist connection here. It's only one story,
7 and it's going to be all glass and aluminum
8 frame.

9 The building organizes itself on top
10 of five levels of parking, which you see here.
11 Dropping down one level, there is a fitness
12 center and some mechanicals, along with a
13 veranda.

14 For the first 20 floors we have the
15 option of 2 units per floor, and then for the top
16 five floors, there are four floors of 1 unit per
17 floor, and then there is a 2-story penthouse.
18 This is where the maximum number of 35 units is
19 actually calculated.

20 Now, just a little something about --
21 I know the question will come up, why didn't we
22 consider putting parking below grade. Well, the
23 primary reason is that logistically it's very
24 impractical. We have got underpinning of the
25 mansion to consider, along with underpinning of

1 the neighbor's building to the north. We've
2 consulted with Findorff Construction on the
3 feasibility, and we did look into that. They
4 evaluated it and said it's very -- highly
5 impractical, if not borderline impossible to
6 excavate this site to such a deep level because
7 we are not accessing the site at all or
8 encroaching upon the east property line, which is
9 contiguous with the county. All construction
10 access would be from the west, along with the
11 staging. So it would be very difficult to dig
12 down and truck this all off to the west. Not to
13 mention also the logistics of when you have --
14 we'd have to still ramp up and ramp down, and
15 that would sever any connection to the mansion
16 because of vehicular traffic crossing over where
17 we actually have to both provide the pedestrian
18 connection to the mansion and also the required
19 code exits from the building.

20 This is the one level down floor.
21 We've got an entire fitness center. And I
22 emphasize it is a private center. It will not be
23 open to the public. This is strictly for the
24 residents. It's rather large. It's got a
25 three-lane, 75-foot lap pool with a full veranda

1 facing east.

2 We felt it was important to animate
3 the eastern side of this. There was a time years
4 ago that Russell will probably talk a little bit
5 more -- that the eastern side of these buildings
6 were not the front side of the building. It
7 truly was the back side. You can go way back to
8 when it was the railroad track. The bike path
9 was not always as popular. But now with
10 everything opening up, we felt it's important
11 that the eastern side of this building actually
12 look like a front of a building also.

13 At the street level we're planning on
14 having the mansion serve as -- I guess to use
15 some other people's words, it kind of minimizes
16 it by just calling it the main entrance. It
17 truly -- we're bringing the mansion back to more
18 of its original use, and that is the residential,
19 because right now it's being used as offices. So
20 the first floor would be for greeting and
21 reception. We would have a concierge. But we
22 are going to be taking the rooms back to their --
23 more of their original uses. There were a couple
24 parlors when you first come in. There's a
25 beautiful dining area. We're also providing

1 handicap accessibility. There's an elevator off
2 the back, which is where the amount of detail and
3 the appointments of the mansion really drop off.

4 We enter the parking facility here,
5 and we ramp up over the top of the connector.
6 The connector is right here, and Russ will talk
7 in a little more detail on that.

8 And now I'd like to turn this over to
9 Gerard Rewolinski who we've hired to do our
10 landscape design, and he's going to walk you
11 through some of the considerations that we have
12 forward in terms of how to landscape the
13 property.

14 MR. REWOLINSKI: Good afternoon. The
15 landscape itself, particularly at grade around
16 the mansion is a very traditional formal
17 approach. We've got clipped evergreen yew hedge,
18 an evergreen hedge along Prospect. And it turns
19 along the south property line to a retaining
20 wall, a masonry wall. There's a wall right here,
21 and the hedge starts at about this point and runs
22 along Prospect and back to this point.

23 There's an existing mature tree that
24 we intend to keep and do some healthy pruning to
25 it. And below this tree we're going to -- we're

1 suggesting a huge ground cover bed with spring
2 flowering bulbs.

3 Here in the middle of the turnaround
4 we're suggesting a parterre garden, very
5 traditional with a low clipped boxwood hedge and
6 perennials in the center.

7 Here just slightly above our lawn
8 area we're suggesting a knot garden, done with
9 another low boxwood hedge or germander hedge
10 material with annuals in the center. That will
11 be seen both from Prospect Avenue, as well as
12 from the tower looking down, and from the
13 mansion.

14 Here between the tower and our
15 surface parking we have two fir trees that will
16 grow to about 50 feet, and they're underplanted
17 with a ground cover.

18 Along the south property, we have a
19 very narrow space there, approximately three to
20 four feet, and we're suggesting a series of
21 weeping cedar trees, right here.

22 And then our slope begins about here
23 and goes down to the retaining wall, and we're
24 suggesting an erosion control kind of low shrub.

25 Here underneath our cantilevered

1 balcony we have a bit of a masonry wall showing
2 underneath, and we're suggesting a clinging
3 native Virginia creeper vine to cover the wall.
4 And above wall at grade level we're suggesting a
5 cascading kind of deciduous shrub. And along the
6 north side here, again it's very narrow and it
7 will be very shady, we're just suggesting an
8 evergreen ground cover, pachysandra.

9 There are a series of green roofs
10 that will be planted with a variety of perennial
11 grasses and evergreen shrubs, low growing,
12 evergreen shrubs. And that will be based really
13 primary on the depth of soil that the structural
14 engineers can provide for us.

15 Here on the terraces, I believe this
16 is at the penthouse level, we have aboveground
17 planters here and here -- sixth floor. I'm
18 sorry. And we're suggesting an evergreen hedge,
19 and then planted with a creeping -- I'm sorry --
20 a cascading deciduous shrub.

21 And there are some areas of green
22 screen that are suggested and associated with the
23 green roof areas, and we're suggesting a series
24 of different kinds of twining vines. Now, we're
25 limited with the kind of vines that we can grow

1 on green screens. Number one, has to be a
2 twining kind of growing vine, not one that clings
3 to the building, but needs a structure. We're
4 looking at vines that will give us seasonal
5 color, both spring blooming and late summer
6 blooming vines, and we're looking at vines that
7 can grow anywhere from 20 to 40 feet tall. And
8 with that I'll leave it back to Scott.

9 MR. KINDNESS: Thank you, Gerard.

10 I'd like to talk a little about how
11 we're planning on lighting the property. The
12 mansion is really the focal point at the street
13 level, and we're planning on having some low
14 floodlighting that just accentuates primarily the
15 western elevation, some of the more unique
16 features, and the southern elevation, which
17 actually has the majority of the -- but it's just
18 a simple wash of the building. We do have some
19 lighting along the retaining wall towards the
20 south of the property, but they are mounted on
21 the north side. It's low lighting, and it would
22 wash the actual pavement surface.

23 We do have an entrance here that we
24 need to illuminate, so we are having the same
25 lighting conditions along the low wall just to

1 the north of the driveway entrance. So this area
2 will be a little bit lit. And then we are
3 proposing also two small floodlights that are
4 going to illuminate the eastern portion of the
5 building. Those are mounted actually on the
6 terrace -- sorry -- on the roof of the actual
7 veranda. So it would just be a general washing.
8 But other than that, there really isn't any
9 planned lighting on this. We don't really want
10 to flood the property. We want to be very subtle
11 with what we're doing.

12 The second floor of the mansion,
13 we're proposing to be actually guest suites.
14 We're bringing the original bedrooms
15 configuration back. And we have a guest suite
16 here in this gable and a guest suite in this
17 gable. And then towards the rear we also are
18 considering having a caretaker's quarters. So
19 somebody would be an onsite caretaker.

20 And then the third floor of the
21 mansion actually there's a very unique, like a
22 mini ballroom, that we'd like to recreate that
23 and bring that back more to its original use.
24 And that would be more of clubhouse or the actual
25 community room for the residents.

1 When you get to the unit level, this
2 is the sixth floor. This is the terrace that
3 Gerard spoke about. That was an important issue
4 with the National Trust, the Milwaukee
5 Preservation Alliance, that was an occupiable
6 space and not just roof. Those are two private
7 terraces, one for the north unit, one for the
8 south. And as Gerard mentioned, we do have a
9 number of green roof elements that add to the
10 ambiance.

11 So these are the two unit per floor
12 units. You can see that we have a central core,
13 one unit to the north, one unit to the south.
14 But we also have designed, and it shows how it
15 can actually be composed as a single unit, which
16 we think that there will be some buyers for that,
17 which would actually reduce the total number of
18 units.

19 The building then steps back and
20 there's another significant portion that's above
21 the 20th floor. So the 21st level unit actually
22 has significant terraces also, and that continues
23 up to the penthouse. And the penthouse is
24 actually a 2-story unit, where that further
25 breaks down, so when this building meets the sky

1 that it actually starts to dissolve itself a
2 little bit more.

3 The materials that we're proposing,
4 start with the south elevation here, you have the
5 mansion. We're proposing to wrap the portions of
6 the parking plinth with a brick that actually
7 matches the brick of the mansion. So that would
8 be here, and you'll see it here. And actually
9 Claudio is holding that up. And there is an
10 interesting -- I have to say this correctly
11 because it can be misinterpreted -- it's
12 diapering. It's the patterning, and it's spelled
13 the same as diaper, but it's diapering. So it's
14 an interesting texture, and we're looking to
15 break down the scale of the parking by providing
16 a mixture of materials.

17 We also have integral-colored
18 concrete that is actually projected out from the
19 building slightly. And we actually have real
20 windows into the area of the parking. And we've
21 also completely removed the corners, the
22 southeast corner of the building, and also taken
23 away some of the other corners. Those were at
24 the suggestion of both the state and the national
25 group that we met with. We've also provided a

1 lot of historic -- mentioned that we've got
2 landscaping along the side further south on the
3 base.

4 Just a little note about the green
5 screen. I think some of you know that there is
6 another project that we've worked on that the
7 vines aren't there. The vines were planted in
8 error. Simple as that, and that will be
9 corrected. So the vines that Gerard has
10 selected, I don't want to say the word weeds, but
11 they do grow like weeds, they do grow very
12 quickly.

13 So the west elevation we're creating
14 an entry piece to the parking structure that
15 further breaks down the scale. You can see down
16 in the lower left here, that relationship. One
17 of the requests was to provide as much green
18 screen to try to soften this western facade for
19 the parking plinth. Think of it more of a --
20 that they wanted more of a neutral backdrop, so
21 not a lot of articulation as to distract from the
22 actual detailing of the mansion itself. They
23 wanted the mansion to touch the sky almost
24 literally, so that's one of the reason why the
25 tower had shifted to the south. And by providing

1 kind of an omni-directional neutral backdrop, the
2 mansion now is highlighted in the foreground.

3 This is showing the little connector
4 that Russell will talk about in a little more
5 detail.

6 Going to the north elevation, I'll
7 talk a little bit more about the tower. We've
8 got two different shades of glass, both tinted,
9 just a subtle differentiation. What we're doing
10 as you can see is we're really trying to
11 emphasize the verticality of the building and the
12 slenderness of it, so we're making long, tall
13 gestures with -- the solid areas are going to be
14 precast of a white cement. The bluish tint areas
15 are being to be a curtain wall system, so you can
16 see we're making very long, tall gestures. We're
17 really trying to break this building down into --
18 actually now would be a good time to throw this
19 up there.

20 You can see that's actually a story
21 and a half taller than what we're proposing.
22 Actually at the neighborhood meeting we were
23 proposing a taller building. We actually reduced
24 the height of that since then.

25 Now, the east elevation is the side

1 that faces the bike path and Lincoln Memorial,
2 we've further broken it down by animating the
3 base of it with a lot of glazing that opens
4 itself up to the actually fitness center. And
5 someone can actually sit with their feet in the
6 pool and then spin around and actually look out
7 over the lake.

8 We've already broken down the massing
9 of the parking by stepping back the corner and
10 then significantly changing the materials to the
11 green screen. And we've also added windows to
12 this elevation to further break down the scale.
13 And they're actually right on axis with the drive
14 lanes so then people can actually orient
15 themselves.

16 A little close-up of the green
17 screen. This is an example of -- can you hold up
18 the actual samples, the three-dimensional
19 material, for those of you that aren't familiar
20 with it? So when it sits on the building it's
21 like this ephemeral screen, creates some shadow
22 lines. And then the vines actually, as Gerard
23 mentioned, twine, weave around them, as opposed
24 to the suction cups that actually stick to the
25 building. So there is some three-dimensional

1 quality that this product affords. So while it
2 is actually growing, it actually creates an
3 interesting interplay between the rigid geometry
4 of the material and how the vines weave through
5 it. In the winter the leaves do fall off,
6 though. I don't think there is a vine that
7 actually grows and keeps its leaves all winter.

8 I'd like to talk a little bit about
9 what is allowed by zoning in terms of this
10 volume. And just bringing this back, this is
11 referencing that first building that we showed
12 you. This is the volume that that would allow
13 under the RM-7. Here is our proposed building
14 outline. This is 1522, and there is 1560, and
15 you're looking west. The volume that we're not
16 using at the base of this building is over a
17 million cubic feet. And that includes east and
18 west, not just north and south, so instead of
19 going with the wedding cake extrusion across the
20 entire site. What we're looking for is just
21 basically a reallocation of that volume to the
22 upper floors, and about just under 160,000 cubic
23 feet. The net cubic feet not used is almost
24 890,000 cubic feet. To get that in relative
25 terms, it would be approximately 30 units of the

1 volume that we're proposing in the slender
2 design, or about a third -- actually just a
3 little bit more than a third of the volume of the
4 building to the south.

5 This is a diagram that shows the
6 building frontage, solid versus void. If one
7 were to extrude those shapes to the east, this is
8 what's solid facing Prospect, and the spaces in
9 between obviously represent the voids. That's
10 what's there now. Our property is right here,
11 and the other two are -- this is the Conservatory
12 of Music, and that's the Eye Clinic.

13 For the first five floors, this is
14 how that gets impacted, and then from the
15 remainder of the building, that's how it gets
16 impacted. So I think from a neighborhood
17 composition, this project is rather consistent
18 with what's already there.

19 This is what we're proposing. Again,
20 it's a maximum 35 units. We've got a curtain
21 wall system, precast, we've got precast base,
22 we've got this entry piece here that's like a
23 drawer that slides out that breaks down the scale
24 of the base. And it's more architecturally
25 referencing the mansion. This is one of the

1 desired features of the meeting with some of the
2 preservation groups. What that does is it
3 creates more of an estate, creates more of a
4 stronger visual presence for the mansion from the
5 street.

6 And we've kept the landscaping low to
7 maximize visibility. You saw in some of the
8 images there would be some judicious pruning -- I
9 think is the term people are using -- that we can
10 actually start to expose this mansion a little
11 more from the street. These trees were at the
12 suggestion of Jim Sewell at the state, and I
13 think that's very appropriate. It really softens
14 that corner from this view.

15 And a night view, how the mansion --
16 this is actually an actual photograph of the
17 mansion where there is a rather large sign that
18 we were proposing to eliminate. But just from
19 that one lit sign that's how nicely lit the
20 mansion can be. And that's what we really want
21 to highlight at night, is the actual mansion.

22 And that's from the lake. And this
23 is a view from the reservoir, North Avenue
24 reservoir. And this is Park Lafayette. Here is
25 Kilbourn Tower and University Club. And that's

1 where our proposed project is located.

2 And this is a view from the Hoan
3 Bridge. This is the University Club, Park
4 Lafayette, and that's where our proposed building
5 is. I think you can see that it fits in quite
6 nicely with the skyline.

7 And I do want to emphasize the point
8 that if you were to look at this building in a
9 vacuum, one could argue it would be a major
10 stretch to have a 26-story building next to a
11 little mansion. But the reality is, this is the
12 context that this project exists in, that the
13 mansions are more the exception, you know,
14 fortunately or unfortunately, depending on your
15 view, that one looks at the totality of the
16 context. And we believe that this is a very
17 appropriate response to such a unique site.

18 And with that, I'm going to turn this
19 over to Mr. H. Russell Zimmerman who we hired as
20 our architectural design consultant for the
21 restoration of the mansion. I won't go through
22 all his accolades here, but I think the most
23 important one is the Magnificent Milwaukee where
24 he actually literally wrote the book on the Goll
25 mansion. He's got an entire chapter dedicated to

1 that building.

2 Russell.

3 MR. ZIMMERMAN: Thank you, Scott.

4 First, I'd like to just put a little
5 bit of historical perspective to the Goll
6 Mansion. In the 19th Century most major cities
7 had a street that you might call a show street
8 where one could take one's out-of-town guests for
9 a stroll or a ride to appreciate the mansions of
10 the rich and famous. Cleveland, for instance,
11 had Euclid Avenue where John D. Rockefeller had a
12 big Italianate mansion. Chicago had it's Prairie
13 Avenue where Marshall Field and George M. Pullman
14 lived. And, of course, New York had Fifth Avenue
15 where the Vanderbilts and the Astors lived.

16 So Milwaukee had Prospect Avenue, but
17 not right away, because in the early days people
18 were afraid of the lake. They thought the damp
19 would give them a respiratory disease, so they
20 started building on the west. Spring Street
21 Road, which later became Wisconsin Street, and
22 then it became Grand Avenue for obvious reasons.
23 And to a lesser extent, there with a Sauerkraut
24 Boulevard, so nicknamed because all the Germans
25 lived there. That was Highland between 27th and

1 35th. And I even talked to a lady once who
2 showed me an envelope with somebody's name on it
3 that was mailed through the U.S. mail to an
4 address, just Sauerkraut Boulevard, and it
5 arrived.

6 So anyway as it turns out, Prospect
7 Avenue was originally the Salk Indian trail, and
8 it later was graded a little bit, and it wasn't a
9 great street, but it was passable, and they
10 called it Port Washington Road because of the
11 direction that the Salk Indian trail led. And
12 for some strange reason it was renamed Michigan
13 Avenue for a while. So it finally became
14 Prospect Avenue when people lost their fear of
15 the lake and decided it was great to have a lake
16 view, and the mansions started going up.

17 And from a personal standpoint, I
18 should tell you, I arrived in Milwaukee from
19 Louisville, Kentucky in 1956 to attend Layton
20 School of Art. And since there were no dormitory
21 facilities, I had to live in what was available,
22 which was mansions that had been converted into
23 rooming houses, basically, and apartments. So I
24 spent my first ten years in Milwaukee on Prospect
25 Avenue living in various mansions, and they've

1 all disappeared. There's nothing left. And by
2 an interesting coincidence 1522, which is
3 immediately south of the Goll Mansion was the
4 site of 1534, which was the Governor George Peck
5 Mansion. That was my first place of residence.
6 So 1522 is parking on my memories.

7 Anyway, as turns out, the mansions
8 proliferated up and down the avenue, starting at
9 Juneau, and went all the way up to Kane Place.
10 Beyond that, the Chicago Northwestern railroad
11 tracks cut through where the Lafayette Towers are
12 being built right now, and as they went by with
13 their oily black smoke and the noise, this was
14 not a pleasant place to live, so they stopped
15 building mansions about Kane Place.

16 I personally saw most of the great
17 ones coming down. And I lived right across the
18 street from the David Benjamin castle which was
19 like a stone confection with battlemented
20 parapets and looked like it belonged on the Rhine
21 River. So when I was called to a meeting to
22 listen to a proposal for the Goll House, of
23 course, it rang a lot of familiar bells, but I
24 didn't know what they had in mind. But there was
25 one thought that came to my mind, right off the

1 bat. I thought, why not put it as a part of
2 something instead of -- you know, you couldn't
3 justify spending, say, a million dollars to
4 restore this mansion just to be a single family
5 residence, or to make a lot of money with that
6 kind of investment just renting offices. But if
7 you put it in front of a high-rise and connected
8 it to be its lobby, all of a sudden it made a lot
9 of sense to me. And when I went to the meeting,
10 lo and behold, that's exactly what they had in
11 mind. And the first thing that came to my mind
12 was the Villard Houses in Manhattan which became
13 the Lobby of the Helmsley Place Hotel, which you
14 see in the background there. That Helmsley
15 Palace -- you know, Leona Helmsley, the Queen of
16 Mean; it's been renamed now the New York
17 Palace -- but it still has probably the most
18 elegant lobby in New York City. And the Villard
19 Houses sort of look over to St. Patrick's
20 Cathedral across the street.

21 This is a rare, and only one I've
22 ever found, early photograph of the Goll House
23 when it was so new that the neighbor's lot to the
24 south next door was unbuilt. It was just a dirt
25 lot.

1 This is how it looks today, and if
2 you compare the two, you can see that there is
3 really not a whole lot of damage. And I can tell
4 you from my experience on Prospect that a lot of
5 them have been heavily damaged and remodeled.
6 And so there are problems, and this is what we're
7 going to address. This is the south elevation,
8 which has a number of interesting features. One
9 of them is not the downspout that you see right
10 there, but there is this wonderful rainwater head
11 with connected downspouts and straps on the north
12 side which nobody can see because it's jammed up
13 against the entrance driveway to the apartment
14 building on the north. But it's a beautiful
15 piece of sheet copperwork, so we're going to take
16 that off and move it around where this
17 replacement downspout is today.

18 I'm proposing leaded glass windows to
19 the weather. These will be storm windows with
20 half-inch H-pane leads over each of the windows
21 on the south and western elevations. And these
22 basement windows which have really cheap not much
23 better than chicken wire over them, I'm going to
24 adapt something from the front door grill which
25 you see here. You can look at it in detail.

1 These are all elements from the front door grill
2 adapted to the basement windows.

3 Of course, the masonry has had a
4 little problem here and there over the years. A
5 lot of it is salt damaged from snow control, and
6 so it's going to require some judicious tuck
7 pointing here and there and mortar matching,
8 which they didn't bother to do on some of these
9 earlier projects.

10 This is one of the more amazing
11 things. This is a photograph I took in 1979 of
12 the south-facing gable with its carved
13 bargeboards and summer beam. And I will get in a
14 minute to said photograph to explain what the
15 gentlemen are holding.

16 Let's move on here. Here we're
17 talking about a back porch situation, which is
18 going to be replicating the front porch, which is
19 all carved Bedford limestone, replicating it in
20 probably mahogany and painting it the same color
21 as the limestone for a back porch railing.

22 Now here we are back at the
23 bargeboards. You see -- well, first of all, take
24 a look at the photograph. The bargeboards go up
25 and down the raking angle of the gable. And what

1 you see the man on the left holding is one chunk
2 of it. And that little shield that you see, if
3 you look on the photograph, is right here in the
4 middle of the bargeboard -- or the summer beam.
5 And those were salvaged by a friend of mine when
6 they came down. And he had to actually do some
7 dumpster diving. As you see here these
8 bargeboard pieces were sawed up with Skilsaws and
9 thrown in a dumpster would have ended up in a
10 landfill site if he hadn't grabbed them. And I
11 didn't realize until I studied the photo
12 carefully, you see here the shield, which is what
13 you just looked at, has been removed, and the guy
14 is putting nailing screeds here to come above the
15 level of low relief carvings. But this was two
16 high, the shield, so they took that off.

17 And as you'll see in the next photo
18 here -- no, you don't. We don't have that one,
19 the one that shows the plywood starting to go on.
20 Anyway, they did put plywood over this whole
21 thing. So that whole summer beam with all of its
22 carving still survives, and we now have the
23 missing piece for it. I have not gone through
24 the pile. I've seen the pile in my friend's
25 basement of all these pieces, and I think we may

1 have a good portion, if not all of the two
2 bargeboards, which is a very important thing to
3 bring back to the mansion. It's done in white
4 oak. There are some chips and cracks and
5 weathering, but by and large, it's held up
6 beautifully.

7 This is the west elevation where I'm
8 incorporating the same window transom for the two
9 bays. One is a projecting bay, and the other is
10 flush with the surface. And you can see the
11 condition of the front porch in these pictures.
12 This limestone has separated and fallen away from
13 the building in a few places, and that's only
14 related to the footings. There may be one or two
15 cracks that need to be addressed either with
16 dutchman patches or cement of some sort, or even
17 a replacement with Bedford limestone. But by and
18 large, it's a matter of taking it all off and
19 replacing it. Here is a particularly bad break
20 because of the sinking of the footings under the
21 descending balustrade there.

22 The front doors have original wrought
23 iron grills that need to be sandblasted and then
24 galvanized and powder coated, and then they'll be
25 good for another 75 years or so. The house is

1 over 100 years old, and they're in pretty good
2 shape, considering that they have been painted a
3 hundred times, and that they're way back under
4 the porch, so they haven't really had rain
5 streaming down on them.

6 There is lot of woodwork, especially
7 on the roof on some of these little dormers that
8 need to be replaced, relatively minor. The
9 windows, we're going to put insulated glass, and
10 here we're going to use all the original wood
11 frames where necessary, or replace them with
12 wood. And this is where those leaded glass
13 windows will go.

14 And then there is the situation of
15 the tree. This is what we're planning to do, is
16 to do some judicious pruning so that you can
17 actually enjoy the house. Right now, I know
18 because I drive up Prospect and because of my
19 former interest in the street, I found myself
20 always looking around to see my few remaining
21 friends in the mansion class, and I can't even
22 study this building because the traffic is nuts
23 on Prospect. And if you take your eyes off the
24 road for more than two seconds, you could end up
25 in a fender bender. Only the pedestrian traffic

1 can appreciate it. But with this pruning
2 suddenly it's going to stand out. And like Scott
3 mentioned, it will stand out beautifully at
4 night, too, with the wash of light over it from
5 the front of it.

6 This is the north elevation which is
7 relatively unseen. It's only to be appreciated
8 by the residents in the apartment to the north.
9 There's just a bare little access sidewalk that
10 goes along that, that's on the Goll property.

11 Here is that rainwater head downspout
12 and where it's located on the north side where
13 it's unappreciated. That's the one that we move
14 over to the south elevation.

15 This is one of the nice features.
16 This little canopy over the door is held up by
17 two pairs of brackets that are supported by
18 carved heads, which are beautifully carved in
19 limestone and not deteriorated in the least.
20 It's unfortunately wasted.

21 This is the east elevation, and I'm
22 calling your attention here to this doorway and
23 this doorway. Here again we're looking at some
24 of the woodwork that requires some repairs, but
25 it's not drastic. Now here looking at the

1 connection, this canopy and the door and the
2 brackets that support it, with more of those
3 carved head corbels, will be relocated to this
4 position, and then encapsulated within the glass
5 enclosure that will connect the front to the back
6 buildings. And what that will do -- here are the
7 locations; this is the one that will come out,
8 everything intact including the limestone coins
9 that go around it, and this will be removed, and
10 this will move over to that position. You can
11 see the dark outline shows where the glass
12 enclosure is. And here you can appreciate how it
13 connects to the condo tower.

14 Here is a view from the south showing
15 how the canopy fits on the back of the building,
16 and from the north showing how it's enclosed.
17 You can see it's almost like a museum exhibit.
18 As you come over from the parking structure of
19 the new condo tower, you're going to be able to
20 see this as though it were outdoors, but it will
21 be completely protected on the inside of the
22 glass cube. And the idea of the glass is not to
23 call attention to itself, just to enclose it like
24 a fine piece of jewelry is displayed in a museum.

25 Here it is in perspective. You can

1 see that all the details, including the coining
2 and the brackets and even the slate roof will be
3 relocated to this spot.

4 Here is another example of the
5 neighborhood. This is the Lyon House on Franklin
6 Place, which has a two-story glass cube, but with
7 a pitched roof; whereas, we're going to be doing
8 a flat roof there.

9 Now, on the interior the house is
10 remarkably intact. And here again I go back to
11 my personal experience with mansions. Most of
12 them have been bombed out or badly abused. This
13 one has had its problems, but they're not
14 irreversible, and they're not monumental. This,
15 for instance, this entire wall was added later.
16 A lot of the rooms have been shrunken. This wall
17 doesn't belong -- that door, this wall. The
18 parquet floors, try to ignore the fact that it's
19 a swastika backwards, but that's a very popular
20 pattern. And it was probably done by S.C.
21 Johnson in Racine when they were in the parquet
22 floor business.

23 Mantle places, the mantle pieces are
24 still in place here and there. The trim -- now
25 this is an added wall on the right and an

1 original doorway on the left. We plan to take
2 out all the added walls and restore the rooms to
3 their original condition.

4 This is the fireplace mantle in the
5 dining room, one of the nicest features of the
6 whole house. We do have a missing cartouche,
7 which is identical to this one on that door. And
8 what I plan to do is steal one from a door that's
9 in an unexciting location to put it here, and
10 then we'll make a casting out of an alternate
11 material for the uninteresting location.

12 The staircase is certainly the
13 highlight of the whole house, the two carved
14 newel posts with the rampant lions holding
15 shields and a big set of staircase windows. The
16 balustrade is highly complex, as complex as any
17 English Tudor or Jacobean staircase would be, at
18 least in Milwaukee.

19 The only thing that's really a
20 problem is the finish. The staircase and the
21 hall that it's in have been limed. It's
22 interesting that it rhymes with slimed because
23 it's about the same sock in the face to a
24 mansion. It was the fun thing to do, I guess, in
25 the 50's.

1 And I plan to reverse this, take off
2 the limed finish and stain it back to the
3 original finish, which we can find in one portion
4 of the upstairs hall, like up here. This was all
5 one big room, and then a door and window was put
6 into that wall, which you see here. But these
7 beams on the ceiling go all the way through to
8 the back room there. So all that comes out,
9 makes one big space. And I have a feeling that
10 these beams were never limed, so when we take off
11 the white paint, we'll know what the original
12 stain color was.

13 Even though it doesn't show in this
14 office landscape, all of the casings around the
15 windows and the wainscoting are original, just
16 need to be stripped and refinished.

17 This is what you can see of the
18 ballroom. We're sort of hoping that under all
19 this acoustical tile, which is just glued to the
20 ceiling and the walls, there will be something
21 interesting, if not some kind of paneling, it may
22 be stencil ornament that was painted on the
23 ceiling. Whatever it is, if it's interesting, we
24 will restore it.

25 So in conclusion, the way I sum the

1 whole thing up is that nobody is going to buy
2 this property with that mansion on it and blow a
3 million dollars into it on this tax base and hope
4 to make it a good sensible investment. But by
5 putting the condo tower behind it, it's certainly
6 worthy of a first-class restoration.

7 I'm working on the Emanuel D. Adler
8 Mansion for another client up on the corner of
9 Brady and Prospect, and I can tell you they cost
10 a lot of money, but nobody spends a million
11 dollars on a Prospect mansion.

12 So, the bottom line, I think this is
13 the greatest possible solution for one of the few
14 remaining first-class mansions on Prospect
15 Avenue.

16 MR. KINDNESS: Thank you, Russell.

17 And now I would like to turn it over
18 to Mr. Paul Demcak, who is the executive director
19 of Milwaukee Preservation Alliance.

20 MR. DEMCAK: Good afternoon. I'm
21 going to try to give you an idea of the mental
22 process that we went through, that is the board
23 members of the Milwaukee Preservation Alliance,
24 that brought us around to supporting, and
25 actually before that, working with the developer

1 and his architect in I think improving this plan.

2 And it's a very exciting plan in my opinion.

3 And in attempting to present this to
4 you, I am going to refer to the Memorandum of
5 Agreement in part that was drafted and signed by
6 the various parties. And by doing that, I think
7 it will make it more clear why we have decided to
8 support and actually add to this proposal.

9 First of all, Milwaukee Preservation
10 Alliance was brought into this quite a while ago
11 by the National Trust Midwest Office. Plans were
12 advancing. There was concern from the community
13 that this important project really should have
14 some input from Preservation, and that it would
15 be a better way to proceed with an important
16 plan, and I'm really glad they did it.

17 So, in summary, because we came to
18 agree on some considerations and conditions with
19 New Land Enterprises, the National Trust for
20 Historic Preservation Midwest Office and
21 Milwaukee Preservation Alliance support this
22 project because it affords the best opportunity
23 for saving and restoring the Goll House.

24 The project described in this
25 Memorandum of Agreement will not only reuse this

1 important local landmark, but also insure its
2 continued maintenance and care in perpetuity.
3 Now, that was my summary statement here.

4 And I'd like to refer back to what
5 Mr. Zimmerman mentioned about the importance
6 of -- and the realities of preservation.
7 Preservation is always controversial, I believe.
8 Many times we're seen as obstructionists and that
9 we have nothing in common with development. And
10 this -- working on this project, collaborating on
11 this project allowed us to show that there could
12 be something to be gained for both preservation
13 and development if they work together, that we
14 could be proactive and not just reactive, that we
15 could be pragmatic, that we could really wade
16 into controversial territory, but be backed up by
17 real life considerations.

18 The reality is that the street has
19 changed a lot. Ideally for preservationists, the
20 time capsule would have us back at the turn of
21 the century. It's obviously not there. The
22 reality is also that there are buildings that
23 have, enjoy designations and are listed, and they
24 become delisted, and they become demolished.
25 Sometimes they are delisted and then demolished

1 because of the inability to find a reuse for
2 them. And that is why we decided we needed to
3 wade into this.

4 I'm going to refer to talking points
5 one through six of my Memorandum of Agreement, of
6 Milwaukee Preservation Alliance's Memorandum of
7 Agreement. I was not the sole author of this. I
8 don't want to leave that misconception.

9 The first one is that Milwaukee
10 Preservation Alliance is in support of this
11 development because, number one, the Goll House
12 will be restored in compliance with the Secretary
13 of Interior standards for rehabilitation
14 governing exterior and interior spaces as
15 reviewed by the Milwaukee Historic Preservation
16 Commission and State Historic Preservation Office
17 where applicable. Further repairs and
18 maintenance to the building will comply with the
19 Secretary of Interior standards in perpetuity, as
20 will be described in the condominium declaration.

21 Now, there are several important
22 things here. First of all, that a building of
23 this type will be restored and maintained in
24 perpetuity and the level will be at the highest
25 level of restoration standards of the Secretary

1 of the Interior is remarkable. That doesn't
2 happen often. And I also want to take this
3 opportunity to express Milwaukee Preservation
4 Alliance's desire that the Historic Preservation
5 Commission and -- you know, would continue to
6 oversee this. We're not trying to co-opt, we're
7 not trying to sideline. We support their review
8 of this. We're not trying to tell them what to
9 do. We wouldn't presume to do that. We are just
10 presenting our case, and we will allow them -- we
11 would expect that they would do their -- make
12 their decisions on this.

13 Second, the Goll House will maintain
14 a traditional connection with Prospect Avenue,
15 appearing from the street as a free-standing
16 building. This was very important for us. There
17 was sometime ago when there were allegations that
18 if a project went up here, maybe it would be
19 wrapped around or only five feet of the building
20 would survive, or it would be surrounded on three
21 sides. We can see from this presentation that
22 that's not the case.

23 And what's more, point three, the
24 Goll House will maintain its integrity of form
25 with minimalist soft connection to the new

1 structure behind the house. Integrity of form
2 was very important to us, and I think the
3 architect has done a very great job of being
4 creative in how he would accomplish this,
5 shifting the mass, going taller, thinner.

6 Point four, the Goll House
7 restoration will include a condition assessment
8 of the original carved bargeboards and appraisal
9 for reinstallation versus replication.
10 Mr. Zimmerman already showed us and presented the
11 bargeboards and how that would -- you know, how
12 that configures to the building. And this is
13 just one example of Secretary of Interior
14 standards. This is not a low budget restoration,
15 so I think that that needs to be considered.

16 Point five, the original first floor
17 interior of the Goll House will be retained in
18 its original form and restored to its original
19 condition. Second floor interior spaces will be
20 restored or rehabilitated. I don't have any
21 other comments about that right now. The
22 presentation has already been made.

23 And, point six, the possibility of
24 having public tours of the Goll House, a minimum
25 of once, maximum of four times per year will be

1 formally investigated, as prescheduled public
2 access would strengthen the house as a historic
3 community resource. At the same time, it would
4 foster pride in ownership of the condominium
5 property owners. Any tour program will respect
6 the ownership rights and interests of the
7 condominium unit owners and will appropriately
8 address reservation and prior notice, duration of
9 tours and number of participants, drop-off,
10 pickup and physical impact upon the Goll house.
11 This was explored, and it was suggested early on
12 in the -- probably the first talk we had with
13 Mr. Gokhman, Mr. Kindness and -- at his counsel's
14 office. And there is a possibility that a group
15 such as Historic Preservation Milwaukee could be,
16 you know, giving a limited guided tour. That
17 not only would this house be restored to very
18 high standards, but become a place of pride and
19 take its rightful place again in more than one
20 way and be an asset for the community also. This
21 hasn't been hammered out yet. I don't know
22 that -- you know, we recorded this Memorandum of
23 Agreement because we discussed all these things.
24 We realize it's not a legal document, but it has
25 been put forth in good faith, and I believe that

1 our concerns were always heard and addressed, and
2 the project has evolved -- the proposal has
3 evolved along that path. And I think that that
4 is a marvelous situation when you get that
5 cooperation in the community.

6 So that's pretty much what I wanted
7 to talk about today. Again, I realize that, you
8 know, this is controversial territory. Just to
9 get an agreement as to what preservation is, is
10 not a simple matter. And it's also a topic that
11 gets inflamed passions, passionate responses from
12 people because they get very excited. So I think
13 if people can come together, and they can be part
14 of it, if they can help shape something and get
15 their concerns met, that is a very important
16 precedent.

17 At the same time, the idea that the
18 Historic Preservation Commission would lose any
19 ability to review the total site and to address
20 the tower is not something supported by our
21 understanding, the Milwaukee Preservation
22 Alliance and the National Trust's understanding
23 when we went into signing this document and this
24 Memorandum of Agreement or negotiated. So the
25 National Trust's lawyer makes reference to that

1 in the letter that was addressed to Chairman
2 Balon, and I believe delivered last Friday. So
3 certainly it's up to them, we believe, and it
4 should be up to them. And we don't want to tell
5 them what to do or what we think is appropriate.
6 We just do the best we can with making our case.

7 And I believe that's all I have to
8 say. Thank you.

9 MR. KINDNESS: Thank you, Paul.

10 And I'm going to turn it over to
11 Ms. Debby Tomczyk.

12 MS. TOMCZYK: I do want to address
13 some of those legal issues. My name is Debby
14 Tomczyk. I'm an attorney at Reinhart Boerner,
15 and our firm represents New Land.

16 You've heard from our primary
17 architect, the landscape architect and various
18 preservationists as to why New Land's proposal is
19 the absolute best opportunity to marry
20 restoration of the Goll House with high-end
21 residential development, keeping with the
22 residential boom in Downtown and keeping with the
23 existing conditions on Prospect Avenue.

24 As I hope you can tell, great care
25 has been taken to craft plans that are sensitive

1 to restoring this unique structure, balance
2 property rights and add significant tax base. We
3 think, and preservationists agree, that this
4 proposal can withstand any level of scrutiny.
5 Many, including editorial writers in Milwaukee
6 Magazine and Urban Milwaukee have opined that our
7 proposal is an innovative way to save the Goll
8 House and add \$60 million of tax base to the
9 City. Together, we have a chance to make
10 historic preservation relevant and achievable, as
11 opposed to just an ivory tower ideal.

12 In the context of this exciting
13 restoration and development opportunity, I need
14 to comment on some of the legal issues.

15 There is no controversy over CPC's
16 role in the DPD rezoning process. We recognize
17 that CPC and ultimately the Council have broad
18 discretion to determine our proposed zoning,
19 whether it's in the public interest, and
20 especially for CPC whether it constitutes good
21 planning.

22 However, we're also aware of the City
23 Attorney opinion that limits HPC's review in
24 administering the COA to the exterior changes of
25 Goll House, as well as the opinion of certain

1 preservationists that HPC should have a broader
2 role. While the limit of HPC's jurisdiction is
3 an interesting legal question, and we reserve
4 right to revisit it, I doubt any of us want to
5 sit here and parse through the legal definitions
6 this afternoon. Rather, we'd like to focus on
7 the substance of New Land's plans. So, we, as
8 the applicant for the COA, to make the most of
9 today's hearing, are requesting HPC to discuss
10 all aspects of New Land's proposal, not just the
11 exterior change to Goll House, but also the
12 connector and the tower, keeping in mind, though,
13 that we're proposing the package in its totality.
14 For us, it's all or nothing.

15 We've requested a broader HPC
16 discussion because we don't want controversy over
17 process to overshadow what we think is a very
18 strong substantive proposal. As I think you saw
19 in the PowerPoint, New Land has gone to great
20 lengths to develop a high quality proposal in all
21 respects. Early in the design process, we
22 reached out to the preservation community, and
23 throughout the design process we've made
24 significant revisions to ensure that the
25 restoration of the Goll House, as well as the

1 siting and design of the new residential tower
2 and connector are historically sensitive and
3 aesthetically beautiful. For these reasons,
4 we're asking both CPC and HPC to bless all
5 aspects of the plans, to favorably recommend
6 rezoning and to issue a comprehensive COA.

7 With that background, I want to focus
8 on some of the specific issues before CPC and
9 HPC. The first issue is CPC's report and
10 recommendation on New Land's petition to rezone
11 the Goll House from RM-7 to DPD. Under 295-907,
12 CPC is charged to base its recommendation upon
13 consistency with the comprehensive plan,
14 consistency with the purposes of the zoning code,
15 conformance with DPD standards, findings and
16 recommendation of the commissioners DCD and DPW,
17 and all verbal and written comments received by
18 CPC.

19 Our request is consistent with the
20 City's comprehensive plan and purposes of the
21 zoning code. While no specific neighborhood plan
22 for the area has been adopted, the proposed
23 development, excepting only the upper story
24 setbacks, is consistent with the existing RM-7
25 high-density multi-family residential zoning that

1 currently applies to the site, as well as the
2 City's Principles of Urban Design. Specifically
3 to use words from the Principles, this
4 development will be, quote, quality housing in
5 keeping with Milwaukee's rich architectural
6 legacy. The proposed development, while
7 consistent with the existing RM-7 zone, will
8 actually be less dense than what's currently
9 permitted by such zoning.

10 Further, our proposal will be
11 consistent with the existing development in the
12 Prospect Avenue neighborhood. You saw the
13 PowerPoint. You see the model in front of us.
14 The Goll House is surrounded and visually
15 obscured by tall buildings: 1522, Kilbourn Tower,
16 University Club Tower, Diamond Tower, Landmark,
17 just to name a few. New Land's residential tower
18 is just one among many. The Goll House is the
19 anomaly.

20 Our request conforms with the
21 standards of the DPD zoning. You've heard at
22 some length about the plans, how they've been
23 carefully crafted with input from the
24 preservation community to both preserve the Goll
25 House and create high-end residential development

1 consistent with neighboring buildings. Keep in
2 mind that the proposed use and our currently
3 approved use are the same. We propose
4 multi-family residential use at a lesser density,
5 developed in a fashion that minimizes impacts on
6 neighbors, with the added benefit of preserving
7 the Goll House.

8 I think you'll hear that the
9 commissioners of DCD and DPW at this point
10 support the project. Their planning,
11 landscaping, design and traffic issues have been
12 addressed.

13 Let's be honest. There's no way that
14 a project of this type in this neighborhood could
15 avoid all opposition. Only in the context of the
16 presidential election this year is change a good
17 thing. But no one likes change, especially when
18 it impacts the views from expensive neighboring
19 properties. And, by the way, the development and
20 the impact our project will have on views is
21 similar to the impact that many of today's
22 objectors previously had on their neighborhood
23 when those units were developed. But,
24 regardless, CPC is charged with administering
25 zoning uniformly and implementing good planning

1 for the entire City based on the applicable
2 standards, and by any measure, this proposal is
3 good planning.

4 That brings us to the second issue,
5 whether HPC should issue a certificate of
6 appropriateness. In that regard, again we're
7 putting aside the issue of HPC's jurisdiction and
8 asking HPC to consider all aspects of our
9 plans -- the tower, the connector and the Goll
10 House restoration.

11 If the DPD rezoning is approved, the
12 Goll House restoration will be an integral part
13 of the final DPD zoning ordinance, and no
14 occupancy permits will be issued, meaning that
15 New Land will not be able to sell any units,
16 unless the Goll House restoration is complete.
17 Of course, no changes can be made to any DPD
18 zoning ordinance without Council approval.

19 Now let's zero in on the precise
20 standards that HPC should be considering. Under
21 the broader HPC review approach that I've
22 outlined, the threshold question for HPC is
23 whether our work to the Goll House would
24 detrimentally change, destroy or adversely affect
25 any exterior architectural feature of the Goll

1 House. I think we've shown unequivocally that it
2 will not. To the contrary, New Land's proposal
3 is not only appropriate, but essential to fund
4 the Goll House restoration. Most changes
5 proposed to the Goll House involve restoring and
6 repairing deteriorated or vandalized elements to
7 their former splendor. The only other change to
8 the Goll House exterior itself is to relocate
9 that existing back door to attach a modest
10 connector, in a way that will be virtually
11 invisible from the street.

12 Code Section 308-81-10 outlines ten
13 guidelines for rehabilitation, any or all of
14 which may be considered by HPC in determining
15 whether to issue a COA, but none of which, by
16 ordinance, is determinative. Those factors --
17 and I'm paraphrasing a bit -- are, first, every
18 reasonable effort shall be made to provide a
19 compatible use, which requires minimal alteration
20 of the exterior of the Goll House. Again, the
21 only alterations to be visible from the street
22 are repairs to restore the Goll House. The rear
23 corrector is a minimal alteration nearly
24 invisible from the street.

25 Second, distinguishing original

1 qualities or character of the Goll House shall
2 not be destroyed, and alteration of distinctive
3 architectural features should be avoided. Under
4 our proposal, the distinctive architectural
5 features of the Goll House that are today at risk
6 be being lost forever will be restored.

7 Third, all structures be recognized
8 as products of their own time. Alterations that
9 have no historical basis shall be discouraged.
10 Again, our proposal restores the Goll House to
11 closer to its historic state. New Land's new
12 residential tower will also be a product of its
13 time, as opposed to a bastardized knockoff of
14 something that it's not.

15 Fourth, changes which may have taken
16 place in the course of time are evidence of the
17 history and development of the Goll House's
18 environment shall be recognized and respected.
19 While the only changes to the Goll House have
20 been deterioration, this guideline requires HPC
21 to recognize and respect the changes to Prospect
22 Avenue. In other words, HPC has to consider this
23 COA in light of the disappearance of other
24 historic structures and the growth of the new
25 high-rise buildings along Prospect.

1 Fifth, distinctive stylistic features
2 or examples of skilled craftsmanship shall be
3 treated with sensitivity. New Land proposes to
4 restore hand-carved stonework around windows,
5 wood carving in side gables, and hand-carved
6 bargeboards, all under the watchful eye of
7 Mr. Zimmerman.

8 Six, deteriorated architectural
9 features shall be repaired rather than replaced.
10 Again, New Land is committed to undertake a
11 condition assessment and appraisal of vandalized
12 bargeboards to reinstall or recreate them.

13 Seven, surface cleaning shall be
14 undertaken with the gentlest means possible. No
15 aggressive cleaning methods will be employed.
16 The only sandblasting will be carefully
17 undertaken to clean rust and old paint from
18 ornamental ironwork.

19 The eighth guideline relating to
20 archeological resources doesn't apply.

21 Nine, contemporary design for
22 additions shall not be discouraged when they do
23 not destroy significant historical or
24 architectural material, and such design is
25 compatible with the size, scale, color, materials

1 and character of the property, neighborhood or
2 environment. Of course, discussion here is going
3 to focus on the tower, but we have designed it so
4 not to destroy any significant historical or
5 architectural material. And this guideline
6 requires its compatibility to be evaluated in the
7 context not only of the Goll House property --
8 and we have sited the tower to diminish visual
9 impact on the Goll House -- but also in the
10 context of the Prospect Avenue neighborhood,
11 where as you saw in the PowerPoint, you can see
12 in front of you, the tower blends with the
13 existing skyline.

14 Ten, new additions shall be done in a
15 manner that if the additions were to be removed
16 in the future, the essential form and integrity
17 of the structure would be unimpaired. The
18 connector serves almost as a bridge between the
19 two buildings, and if the connector were removed,
20 both structures would preserve their original
21 form.

22 So New Land's proposal, all three
23 design elements, satisfies all of the guidelines
24 in HPC's ordinance. Again, setting aside the
25 process issues, HPC will be hard pressed to point

1 to another proposal that is as historically
2 appropriate as New Land's. Indeed, our proposal
3 is consistent with past projects for which HPC
4 has issued COA's. Think of the University Club
5 Tower and St. Mary's new wing, both of which are
6 substantively very similar to what's before you
7 today.

8 Finally -- and I promise I'm almost
9 done -- I need to comment on the Preservation
10 Guidelines in the Historical Designation Study
11 Report for the Goll House. First, note that
12 they're guidelines. They're not ordinances,
13 they're not regulations, just guidelines.
14 Second, recall that these guidelines are generic,
15 and they've been used in many, many designations
16 and they were not crafted specifically for the
17 Goll House. Third, the preface to the guidelines
18 themselves instruct HPC to consider them in light
19 of a particular design submission. So, HPC needs
20 to consider the specific facts and circumstances
21 of the Goll House: its current state, the fact
22 that no other proposal has been advanced to
23 restore and maintain it, and the existing
24 neighborhood in which it rests, surrounded by
25 other tall towers.

1 I can't add anything to the design
2 elements discussion that you've already heard,
3 but I want to comment on the language of a few of
4 the guidelines. First, additions are permitted.
5 Ideally, an addition should either compliment or
6 have a neutral effect on the historic character
7 of the building. The new residential tower has
8 been specially sited and designed to eliminate
9 any actual impact on the Goll House and to
10 minimize even the visual impacts. What's more,
11 the new tower provides the necessary funding to
12 make the Goll House restoration possible.

13 Next, new construction should be
14 designed so as to be sympathetic as possible with
15 the character of the house. New construction
16 must respect the historic siting of the house and
17 should be accomplished so as to maintain the
18 appearance of the house from the street as a
19 freestanding structure. That's exactly what New
20 Land's proposal does.

21 Overall building height and bulk must
22 be compatible to and sympathetic with the design
23 of the house. At the recommendation of
24 preservationists, we've slimmed the building bulk
25 to minimize the impacts on the Goll House. Our

1 more sensitive design must be contrasted with the
2 Goll House's immediate neighbors which have much
3 more intrusive positioning and heavier bulk
4 impressions on the Goll House.

5 The massing of new construction must
6 be compatible with the goal of maintaining the
7 integrity of the house as a distinct,
8 freestanding structure. Again, our design takes
9 great care to maintain the Goll House as a
10 distinct, freestanding structure from the street.

11 The building materials which are
12 visible from the public right-of-way and in
13 proximity to the house should be consistent. The
14 new residential tower has purposely been set back
15 from the right-of-way to maintain and avoid
16 disrupting the street presence of the Goll House.

17 To conclude, the decisions before CPC
18 and HPC today really are important. New Land is
19 presenting a unique opportunity for you to
20 endorse a high-quality new development that
21 enables the high-quality restoration of a
22 significant historic structure. Lots of people,
23 some of them are sitting here, have spent lots of
24 time and resources on bringing this project to
25 where it is today. As recently as Friday

1 afternoon, we had correspondence back and forth
2 with the National Trust endorsing this proposal
3 and a Memorandum of Agreement.

4 I ask you, not just for the sake of
5 New Land's development, but in the interest of
6 making historic preservation relevant and
7 achievable, in the interest of the greater good
8 for the entire City, please put aside the petty
9 bickering and look at the substance of what we've
10 presented. And we ask you to unanimously endorse
11 this project today. Thank you.

12 I think that's all of the formal
13 presentation.

14 MS. NAJERA: Thank you all for the
15 presentation. And it appears that you have taken
16 great strides as far as meeting with the
17 Preservation community and having Mr. Zimmerman a
18 part of this all.

19 Now the process that we're going to
20 have is we'll have a report from Vanessa
21 regarding CPC, and then Martha on HPC. And then
22 we will open it up to public testimony.

23 MS. KOSTER: Vanessa Koster,
24 Department of City Development.

25 City Plan Commissioners, what's

1 before you is consideration for rezoning from
2 multi-family residential, RM-7, to a Detailed
3 Plan Development. The Detailed Plan Development
4 has three components. The first is the
5 construction of a single 26-story tower with up
6 to 35 units. There will be a modest connection
7 piece that will connect the tower to the existing
8 Goll House structure. The Goll House is also
9 part of the plan development that is before you
10 for consideration.

11 While the rezoning is before you that
12 will create site-specific parameters for
13 development of this site, it is relevant for
14 discussion that the current RM-7 zoning permits a
15 high-density, multi-family residential use and
16 that up to 186 dwelling units are permitted.

17 As Ms. Tomczyk summarized, under the
18 City zoning code the purpose of a plan
19 development is to allow flexibility in land
20 investment, promote creativity, variety, and
21 environmental sensitivity, and encourage
22 development that's compatible with the
23 surroundings, and consistent with the City's
24 comprehensive plan.

25 While a comprehensive plan for the

1 northeast side has not been yet approved by the
2 Common Council, the proposed development would be
3 compatible with the diverse array of existing
4 housing in the area, both historic mansions, as
5 well as adjacent high-rise, multi-family
6 construction.

7 Since the proposed Detailed Plan
8 Development as a whole maintains historic
9 preservation with new modern multi-family
10 high-quality construction, the Department
11 recommends the approval of the project and the
12 change in zoning and feels that this plan
13 development provides a more sensitive design than
14 what would be permitted under the current RM-7
15 zoning.

16 Martha.

17 MS. BROWN: Good afternoon. Martha
18 Brown with the Department of City Development.
19 I'd like to present the staff report from the
20 Department of City Development regarding the
21 application for a certificate of appropriateness
22 for this project.

23 As the Commissioners are aware, the
24 City Attorney's Office has issued an opinion that
25 encourages the Commission to focus its review on

1 the impact of the proposed work on the exterior
2 architectural features of the Goll House
3 structure. That opinion pointed out that the
4 Commission, and ultimately the Common Council,
5 have three types of historic designations -- a
6 historic structure, a historic site, or historic
7 district.

8 The parameters that are applicable
9 for review of a certificate of appropriateness
10 application depend on what type of a designation
11 was made by the Common Council. And in this case
12 it is a historic structure that was designated at
13 the time, and thus the one parameter that is
14 identified as the appropriate one.

15 Under the terms of that City Attorney
16 opinion, the staff has structured its report to
17 you under that parameter. However, you have
18 heard the applicant a few minutes ago encourage
19 you to look at these other parameters as well
20 that are appropriate for historic site or
21 district, and so you certainly are welcome to do
22 that.

23 Looking at the impact of this project
24 as a proposal on the exterior features of this
25 Goll House designated structure, I want to -- in

1 evaluating this, Paul Jakubovich took a look at
2 the three elements of the project. The first
3 element is to restore the Goll House. You've
4 seen a very extensive presentation both in
5 written material you have received previously and
6 from Mr. Zimmerman today about how that would be
7 handled. And staff has concluded that these
8 restoration plans are appropriate and they'll
9 have a very positive impact on the exterior
10 features. And although the Commission does not
11 consider interior features, we believe it will
12 have a very positive impact on the interior
13 historic features of this property as well.

14 With respect to the portion of the
15 project that builds a one-story connector on the
16 east side of the Goll House, we've concluded that
17 the connector fits the historic construction
18 guide -- the new construction guidelines, the
19 guidelines for additions, which it is a very
20 minimal structure, and it will have no negative
21 impact on the exterior architectural features of
22 Goll House.

23 With respect to the proposal, portion
24 of the proposal that constructs the condominium
25 tower in what some have called the backyard of

1 the Goll House, we have concluded that that has
2 no exterior -- no impact on the exterior
3 architectural features of the Goll House because
4 there is no -- it doesn't touch it. It is
5 separated by the connector building.

6 As a result, the staff is
7 recommending that the Historic Preservation
8 Commission approve the certificate of
9 appropriateness for the project as proposed. We
10 have some conditions to recommend as well.
11 You've seen these in writing in a little more
12 detail.

13 First, with respect to the
14 tuck-pointing of the building, the Goll House, we
15 are recommending that the tuck-pointing be
16 limited only to those areas that need
17 tuck-pointing work, that the mortar match the
18 existing mortar, and that staff have the
19 opportunity -- or be required to review a sample
20 panel of the mortar work before the work begins.

21 Staff is also recommending that the
22 developer be required to rebuild the front porch
23 exactly to the original design and dimensions.

24 And, finally, staff is recommending
25 that staff be required to review shop drawings of

1 the leaded glass transom storm windows on the
2 front elevation and the new wood railings and
3 balustrade on the south porch.

4 There was a question that was raised
5 to me individually about the terms of the
6 certificate of appropriateness, and I went to
7 answer that question so that all of you have the
8 benefit of the response. The question was, if
9 the scope of work of the restoration or connector
10 changes from that that you have been looking at
11 today in both print and in this presentation,
12 would a new or revised certificate of
13 appropriateness be required? And the answer is,
14 yes. That would be standard practice. If there
15 are changes to the work empowered by the COA,
16 then that COA has to go back to the drawing board
17 for revision or new issuance, depending on the
18 severity of the changes.

19 I would like to just remind the
20 Historic Preservation Commissioners who may not
21 be nearly as familiar with the Detailed Plan
22 Development zoning process as the City Plan
23 Commissioners, that the Detailed Plan Development
24 zoning is also very specific to the project that
25 is being presented today. It is not a blanket

1 zoning for anything that happened on this site.
2 If the site is rezoned, it is rezoned
3 specifically to build this project. Ultimately,
4 of course, the Common Council must approve any
5 project changes if Detailed Plan Development
6 zoning is adopted. So the Council would get
7 involved if there were changes to the project,
8 and, of course, the Council is the body that
9 adopts any zoning change and would be asked --
10 would be required to act on the City Plan
11 Commission zoning recommendation.

12 And, finally, I would just point out
13 that within a Detailed Plan Development, the
14 scope of project modifications that is allowed
15 once DPD zoning is adopted is quite limited.
16 They can't make big changes. There is a list of
17 things that cannot be changed once the DPD zoning
18 is adopted, and the list is quite severe. I have
19 it with me, or Vanessa Koster could recite those
20 to you if you need it. I can read it from the
21 ordinance as well. But the zoning for a Detailed
22 Plan Development is quite specific, one hundred
23 percent specific to the project. So that's the
24 conclusion of my report.

25 MS. NAJERA: Thank you.

1 Now, before we get into the public
2 testimony, I just wanted to state that given the
3 number of people that are here to provide
4 testimony, we are asking that if somebody has
5 already stated what you would like to say, please
6 state that you agree with them. And also we are
7 also limiting the time to 5 minutes for each
8 person to give some testimony.

9 Are there any questions from the
10 commissioners before we start taking testimony?
11 Alderman Bauman, would you like to speak?

12 MR. BAUMAN: Thank you, Madame Chair.
13 Yes, I sit here in two capacities today. I'm not
14 only a member of the Historic Preservation
15 Commission, but I'm also the alderman for the
16 neighborhood, and this property, this project
17 lies within my district. So, as is my custom, I
18 typically come before the Plan Commission to
19 express my views on these types of zoning
20 changes, and I have done so on many occasions in
21 the past.

22 As I understand it, the current
23 zoning for this site is RM-7, which is our
24 highest density or most dense level of
25 residential zoning. It basically allows

1 high-rises. This is high-rise district. That is
2 how the zoning has been for many decades.

3 The proposal to change the zoning
4 from RM-7 to a Detailed Plan Development has been
5 sometimes portrayed as some radical, extreme
6 action that is being recklessly undertaken by the
7 City and by the Council. And having seen this
8 presentation, I think the facts presented
9 indicate that is far from the truth. In reality,
10 the property owner is proposing to build a
11 building which is actually far less dense,
12 smaller, and has a less intensive footprint on
13 the neighborhood than what he could build under
14 current zoning.

15 As I understand it, the request for
16 zoning change was essentially to avoid what they
17 perceive as some idiosyncratic results because of
18 different setback requirements at different
19 heights of the building as you go up vertically,
20 which creates this so-called layer cake, wedding
21 cake effect, which applied to a tall building
22 does look rather mechanistic and doesn't seem to
23 provide any particular useful purpose.

24 I think it's been indicated in the
25 record that they're permitted by right to build

1 186 units, comprising 111,000 square feet.
2 That's a big building. That's a substantial
3 structure. That is the property owner's legal
4 right to proceed to construct a building of that
5 size. No hearings, no meetings, no questions, no
6 public testimony, no nothing. They apply for a
7 building permit, and they show up, and they start
8 digging, absent historic preservation. And I
9 agree that adds a wrinkle to the situation. From
10 a strictly zoning, Plan Commission standpoint,
11 that's what they can build as a matter of right.

12 As I understand it, they're proposing
13 to build a building of 103,000 square feet, a
14 building with only 35 units, and as we've seen, a
15 relatively slender profile, which I think is
16 rather elegant actually. I agree appearance and
17 architecture can sometimes be subjective things,
18 but from what I've seen of this presentation, I
19 think the building is relatively elegant. And I
20 think tall, slender buildings are arguably more
21 compatible with other high-rises because you
22 don't have the huge shadowing or huge view shed
23 blocking that occurs with very massive buildings,
24 like Landmark on the Lake, for example, which is
25 a very substantial structure, both in terms of

1 cubic feet, square feet, and height.

2 So I urge the Commission to support
3 this requested zoning change and look forward to
4 your action.

5 MS. NAJERA: Thank you. Let's begin.
6 Jack Zehner is present. Kevin Haley from
7 Milwaukee County Parks is present. Nella
8 Groysman is present. Kit O'Meara is opposed and
9 would like to speak. Is she still here?

10 MS. O'MEARA: Yes, she is.

11 MS. NAJERA: Okay. I just want to
12 let everyone know that there will be a
13 timekeeper, and so they will let you know when
14 you have one minute left.

15 MS. O'MEARA: Okay. Thank you. Who
16 is the timekeeper?

17 MS. KOSTER: Lynn Schiller. She's in
18 the back.

19 MS. O'MEARA: I can't see.

20 MS. NAJERA: Do you want to come up
21 to the front, Lynn?

22 MS. SCHILLER: Oh, they'll hear me.

23 MS. O'MEARA: Actually I said on my
24 note that I wanted to ask questions, and that's
25 really what I came here today to do. A couple of

1 them have been answered, and I'm grateful for
2 that opportunity, but I'd still like to ask a
3 couple more.

4 My first set goes to the developer.
5 Regarding financing for this, how many of the
6 planned 35 units have to be presold before the
7 project could proceed, or are there other
8 requirements that the source of your financing
9 has required?

10 When in the development of the entire
11 site will the restoration of the Goll House
12 mansion take place? And are there any guarantees
13 that that restoration will take place? For
14 instance, what happens if the dollars run out?
15 Now, the representative from Reinhart Boerner did
16 say that it had to be done first, and so that
17 question of mine was partially answered. But the
18 reality of the marketplace hits us in all kinds
19 of ways and times. What if that money should
20 even, heaven forbid, run out?

21 Thirdly, if there are currently 53
22 condos priced over a million dollars listed in
23 MLS for sale, what marketing plan will help you
24 sell this project? And do you expect to sell it
25 in two years, five years, ten years. Just what

1 is the plan?

2 The current issue of Milwaukee
3 magazine has -- the new one just out, has an
4 article in which it describes the current
5 listings of the over \$1 million properties as
6 having a four and a half year span to be sold,
7 that it would take four and a half years to sell
8 off those at the rate that they've all been
9 selling. So, Commissioners, what guarantees,
10 financial or otherwise, will the City require as
11 part of granting either the COA or the new zoning
12 district?

13 Secondly, if there are major
14 changes -- and I think Martha has answered this
15 fairly well -- if there are major changes from
16 what Mr. Zimmerman beautifully outlined or from
17 the plans that have been submitted, will there
18 need to be a new certificate of appropriateness?
19 And I gather that is so.

20 Thirdly, is it my understanding that
21 as the zoning change is approved, it stays with
22 the land, even if something else were to be -- if
23 this couldn't be completed, if something else had
24 to be put forth? And you said that the amount of
25 change would be very limited, it would be with --

1 you know, it would be there with it.

2 So as you make your deliberations
3 today, remember the rest of the neighborhood.
4 Think of the rest of us. You identified me by
5 name. I live at 1633. I live across the way.
6 I'm in Diamond Tower. My situation is going to
7 be affected also, but that's not material to all
8 of you. What's material to all of you is how the
9 neighborhood itself will be affected or how the
10 City as a whole will be affected. Please
11 remember the rest of us, though, in the
12 neighborhood, from Brady to Ogden. We do like
13 our current mix of mansions and high-rises and
14 old apartment buildings and new apartment
15 buildings. Personally I also like the air and
16 the light and the lake that are currently part of
17 my view and my value in Diamond Tower. I will
18 lose some of that. But I do want you just please
19 to think of all of us. I don't look forward to a
20 canyon of tall buildings that I would be living
21 in. I like my canyons to be more like the Grand
22 Canyon.

23 But I thank you all. And I will hope
24 to hear more answers to some of these questions
25 as you go along. Thanks.

1 MS. NAJERA: Thank you. Regarding
2 the first item that Ms. O'Meara spoke of
3 regarding financing, that's not in our purview of
4 either Commission, and I would ask if you would
5 like to have a conversation with the applicant at
6 a later date.

7 And, Vanessa, did you want to answer
8 any of those other questions?

9 MS. KOSTER: Sure. Likewise, with
10 the COA if there are changes, the same would hold
11 true with the Detailed Plan Development. If
12 there are major changes -- actually if there are
13 any minor changes, that still has to go before
14 Common Council for approval. If there are major,
15 substantive changes, that has to come back to
16 City Plan Commission, the Zoning, Neighborhoods
17 and Development Committee, and Common Council for
18 a public hearing again.

19 MS. NAJERA: Okay. Thank you. Judy
20 Grimes is opposed, does not wish to speak. Randy
21 Bryant is in favor and would like to speak.

22 MR. BRYANT: Hello. My name is Randy
23 Bryant, and I'm here representing Preserve Our
24 Parks. And I wanted to explain as to why
25 Preserve Our Parks is not opposing this

1 particular plan. Prior to this building being
2 developed, we met with the developer and several
3 other property owners along Prospect Avenue.
4 Because as you look at the back of the buildings,
5 which is on Lincoln Memorial Drive, it's really
6 somewhat of an eyesore. And Preserve Our Parks
7 has embarked on a plan in order to develop a
8 green corridor along Lincoln Memorial Drive and
9 the bike path, because we want to continue with a
10 pleasant pedestrian corridor. And our concern
11 was that as further development continued, the
12 adverse impact that would take place on
13 development of Lincoln Memorial Drive if there
14 were not restrictions that were put in place.

15 So we started meeting with property
16 owners and people that were looking to develop
17 along Lincoln Memorial Drive, and New Land
18 Development was one of those that we met with.
19 And early on, we discussed the fact that we did
20 not want to see access from Lincoln Memorial
21 Drive, that we did not want to have open parking
22 lots, open parking structures, and that the HVAC
23 should not be visible from Lincoln Memorial
24 Drive.

25 But more importantly was the

1 vegetation and the setbacks that needed to occur
2 in order to continue to provide that green
3 corridor. And some of you may be aware that the
4 guidelines require -- or the City requires a
5 ten-foot setback. But if you look at it from the
6 bike path, you're really looking at 50 feet. So
7 how is that going to be planted, and to insure
8 that that is not destroyed? And I'm hear to
9 state that New Land Development has concurred
10 with everything that we have requested. We have
11 a Memorandum of Understanding between Preserve
12 Our Parks and New Land Development that addresses
13 all those areas, including the lighting. Because
14 lighting on these buildings actually provides
15 what is called lighting pollution. From Lincoln
16 Memorial Drive, you don't want to have lights
17 that are beaming onto the building, or coming
18 from the building that are spilling onto the bike
19 path.

20 So it's really to try to maintain
21 what we have. If you look at what has taken
22 place thus far, it's a story of neglect. And
23 while some of you may remember that, well, gee,
24 it was a railroad right-of-way, and so therefore
25 you may say that the current owners of those

1 buildings are really not responsible because
2 those buildings were not looked upon as being --
3 Lincoln Memorial Drive was not the face of those
4 buildings. Well, today it is the face, and it is
5 the experience that we all have as we drive, as
6 we walk, ride our bikes and jog along Lincoln
7 Memorial Drive.

8 So I'm here to state that everything
9 that we have requested has been incorporated into
10 the project. We're very pleased with it. And
11 our perspective is really not from the building
12 itself as it relates to Prospect, but looking at
13 it from Lincoln Memorial Drive.

14 MS. NAJERA: Thank you.

15 MS. JACQUART: I had a quick
16 question. Is it Randy?

17 MR. BRYANT: Yes.

18 MS. JACQUART: As I'm looking here,
19 I'm thinking about -- it sounds a little bit like
20 you're going the route of what happened with the
21 Riverwalk, when at one time the City turned its
22 back on the river.

23 MR. BRYANT: Yes.

24 MS. JACQUART: So now we're trying to
25 do that green corridor along the lake and look at

1 what is facing the back, facing onto the lake.

2 MR. BRYANT: Absolutely. It's
3 exactly the same concept. And we're really
4 trying to take a more proactive view on the whole
5 thing. Because if you look at it, the New Land
6 development site or Goll House site, it's the
7 smallest of all the sites that are there. And so
8 taking a perspective that you really want to
9 change the downward trend. And, you know, if you
10 all come and look at Lincoln Memorial Drive, it's
11 fallen trees, a ton of garlic mustard. You know,
12 all the debris that we don't want to see is right
13 there. So the question is, when do you clean it
14 up? And the perfect time is as new development
15 comes on board.

16 And if you look at it, we're faced
17 with five new projects that have been proposed
18 within the last year. We talked with some
19 developers. Some of them will be able to come
20 forward and -- but others have fallen to the
21 wayside because of the economy that we're in.
22 But we have to look towards the future, and I
23 think that too many people are just focused on,
24 you know, whether they like the building or not.
25 There's more to it than just the building itself,

1 but it's also the impact we have in term of our
2 livelihoods.

3 MS. JACQUART: Thank you.

4 MS. NAJERA: Thank you. Before we
5 continue, I would like to ask the Commissioners
6 to make a motion so that we can have a public
7 hearing between both commissions.

8 (There was a motion and a second)

9 There's been a motion and a second.
10 All those in favor say aye. Any opposed? Any
11 abstentions? The motion passes. We'll continue.

12 Harry Wesolowski is present.

13 (Discussion off the record.)

14 MS. NAJERA: Vanessa, can you clarify
15 whether we all have to be sworn in at this time.

16 MS. KOSTER: I don't know.

17 MS. BALON: Attorney Hagopian, when
18 we have a public hearing, does the public have to
19 be sworn in? At Historic Preservation Commission
20 meetings, those that speak at a public hearing
21 are sworn in. Always have, 20-plus years.

22 MS. BROWN: If I can clarify. The
23 public hearing that's going on actually is a
24 public hearing of the City Plan Commission. In
25 order to do a rezoning, the City Plan Commission

1 is required to have a formal public hearing. And
2 so I might suggest that you actually revote here
3 because the Historic Preservation Commission
4 doesn't have the ability to vote on a City Plan
5 Commission public hearing. And Vanessa said it's
6 apparently not the practice to swear in people at
7 a City Plan Commission hearing.

8 This is a very unusual situation, and
9 we want to make sure we get it right. So that
10 would be my recommendation, have another meeting
11 for the -- or another motion for the City Plan
12 Commission to convene in a public hearing for
13 this process.

14 MS. STOKES: I'll move.

15 MS. DAWSON: I will second that.

16 MS. NAJERA: There's been a motion
17 and a second for us to have a public hearing for
18 the City Plan Commission. All those in favor say
19 aye. Any opposed? Any abstentions? The motion
20 passes.

21 We'll continue. Stephen Loreck is
22 opposed, does not wish to speak. Mike Mervis had
23 to leave early, and he stated that he was neutral
24 on the position. Charles Camilli is opposed,
25 does not wish to speak. Amanda Murphy is in

1 favor, does not wish to speak. Gerard Bloch is
2 opposed, does not wish to speak. John Lazarus is
3 opposed, does not wish to speak. Cindy Thomason
4 is opposed, would like to speak. Is she outside
5 in the hallway possibly? No. Cindy Thomason,
6 she is opposed, for the record. Dawn McCarthy is
7 opposed, does not wish to speak. Kevin Donahue
8 is in favor, and would like to speak.

9 MR. DONAHUE: First off, I'd like to
10 thank the Commission for making this a joint
11 meeting and allowing the public to put in our two
12 cents worth. I'm speaking from three points, I
13 guess. First off, I'm a resident in the
14 neighborhood. I'm just a couple blocks down the
15 street at 1725 East Kane. That puts me on the
16 southwest corner of Kane and Prospect. And if
17 you know the neighborhood, that's the old Cudahy
18 building that was built for the matriarch of the
19 family and was originally a series of luxury
20 residential units that have been subdivided into
21 apartments.

22 I'm also an architect in the city.
23 I'm an architect who specializes in urban design
24 and preservation. In fact, we're sitting in one
25 of the buildings under which I am currently

1 working on. I'm one of the two project
2 architects on the City Hall. Also been the
3 project architect, restoration architect out the
4 Ten Chimneys in Genesee Depot.

5 Finally, I'm a board member of the
6 Milwaukee Preservation Alliance.

7 And so my comments are really coming
8 from all three of these points of view. I think
9 what we have here is a process that has begun
10 rather uniquely to Milwaukee -- or in Milwaukee,
11 and that is the developer approaching the
12 preservation community and asking for input. You
13 know, what are the hot buttons in the
14 preservation community? I think it's something
15 that should be encouraged on future projects.

16 I think this solution that has been
17 proposed is a unique solution for the site. It's
18 not one that you can use as a panacea for all
19 preservation projects across the City. It seems
20 to work well here, as previously stated, because
21 of the given context into which the building
22 currently finds itself. Certainly the Goll
23 Mansion was not built originally in a
24 neighborhood of high-rises. It was built in a
25 neighborhood of the mansion, and they have by and

1 large unfortunately gone their way.

2 This project is an opportunity to
3 come in and restore the Goll House, to maintain
4 part of our historic past, part of our historic
5 built context, which is a limited resource. Once
6 these buildings are gone, they're gone.

7 The mansion itself was originally
8 expensive to build. Let's face it, it's a
9 mansion. It was expensive originally to
10 maintain, which is why it eventually moved on
11 from being a single-family residence to rental
12 space for businesses. The idea of someone coming
13 in, in today's market, and buying this building
14 to restore it as a single-family mansion, given
15 its context, that it's in a canyon of high-rises
16 today -- and these high-rises are not going away.
17 They may be replaced with other high-rises, but
18 it's highly unlikely this neighborhood will go
19 back to mansions. The idea of combining the
20 restoration with the new development really seems
21 to be a win win situation for both parties.

22 Finally, the idea of putting the
23 tower on the back side was not a concern for us
24 from the standpoint that again the streetscape is
25 provided. I walk through this area, I bike

1 through this area. One of the reasons for living
2 in the neighborhood is I can get to my office on
3 foot or by bicycle downtown year-round. And the
4 streetscape is still maintained. I find that the
5 placement of the building works well with the
6 neighborhood, and that it's a welcome addition to
7 the neighborhood. And it's also a welcome
8 addition in that it keeps a historic part of the
9 neighborhood intact. Thank you.

10 MS. NAJERA: Thank you. Lee Jackson
11 is opposed, does not wish to speak. Mayda Crites
12 is opposed, does not wish to speak. Catherine
13 Noonan is opposed, does not wish to speak. John
14 Fuchs is opposed, and would like to speak.

15 MR. FUCHS: Thank you. I'm Attorney
16 John Fuchs. I wish to address you on behalf of
17 Patrick Dunphy, a resident at 1522.

18 My first request of you would be that
19 you slow up this process for this reason. There
20 is an issue as to the jurisdiction of the
21 Historic Preservation Commission. Clearly you do
22 have jurisdiction. You have jurisdiction because
23 you're own very rules define an historic site as
24 a property upon which a structure having
25 historical significance is located. So I would

1 implore you not to just cavalierly skip the
2 process. The process will prove to be very
3 important.

4 You are not preserving the site. And
5 while it's subjective to the individual whether a
6 new high-rise and an old mansion are compatible,
7 it certainly doesn't preserve the site. So
8 factually that one is a given.

9 But I would submit to you that you're
10 also not preserving this mansion, because what is
11 missing here in this process, this rushed
12 process -- I used to own the building across the
13 street, 1551. And I just heard a couple million
14 dollars of work being described, and I heard even
15 the man from the Alliance indicate that his MOU
16 was, quote, not a legal document. It's not. And
17 what you are missing here -- and I implore you to
18 consider this -- is you have no guarantees, no
19 real knowledge that you're preserving this
20 mansion because you're missing a development
21 agreement of any significance or any use to you
22 whatsoever, and one that could easily be done,
23 and can be done in communities of far less
24 expertise than the City of Milwaukee.

25 Actually all I've seen -- and I

1 recognize that it seems the pro groups very
2 readily have these plans; the opposed, they've
3 been very difficult to get. But I did notice in
4 the Detailed Plan project description that,
5 quote, the declaration will also provide that the
6 obligation to maintain the Goll House shall not
7 be revoked by the owners without Common Council
8 approval. That was originally in the document.
9 It's been taken out. So this rush that we're
10 doing, I suggest to you is not going to work, and
11 you are not going to get what you are planning to
12 get.

13 I would also suggest to you that you
14 consider this statement that, well, the RM-7
15 zoning, he could do something bigger. Again --
16 and this is more for the Plan Commission -- a
17 question that's not being addressed, and it
18 appears to me it's being avoided. If the
19 developer can do something larger in the existing
20 zoning, has a right, wouldn't one ask then why
21 does he need the rezoning? Why would he need the
22 new zoning district? The question has not been
23 addressed. If you build under the RM-7, where
24 would it be on the lot? And could you do it and
25 still preserve the mansion? So talking about

1 what could be done, when it really couldn't be
2 done, is really almost sadly misleading.

3 The precedent that you would set if
4 this fits preservation of an historic site, why
5 -- as an owner of 1551, we operated at a loss.
6 They do the same thing right behind the
7 conservancy. You are, if you, as the Historic
8 Preservation Commission, just decide you have no
9 authority over this, you're opening it up for any
10 site with an historic mansion on it. I would
11 urge you not to do that.

12 One of the things that you can get
13 from this rendering is where this building is
14 that's proposed, relative to these buildings.
15 And one of the things that saddens me is
16 everything about this project seems to be
17 concerned with people who are into preserving
18 buildings, who have hobbies, who have interests,
19 who have passions. What about the people that
20 live there? It's like they have no rank. And to
21 just blow off the people at 1522 -- I'm not
22 suggesting that's being done rudely. They have
23 an interest.

24 The trick here, the need here is to
25 slow this process up. You have a -- what a

1 nonplanner would call a busy street, and you have
2 a bluff. And if you're not going to preserve
3 this mansion, then ask yourself the question,
4 where does the building really go? You've got a
5 busy street and you have a sensitive bluff. So
6 what are we doing? We're putting the building on
7 the bluff. It doesn't fit. And, by the way, as
8 a boater, that's not going to look good from the
9 lakefront. Thank you.

10 MS. NAJERA: Thank you. Eileen
11 Collins is opposed, does not wish to speak.
12 Sharon Hammeke is opposed, does not wish to
13 speak. Mark Jones is opposed, does not wish to
14 speak. Ginny Dunphy is opposed, does not wish to
15 speak. Todd Farris is opposed, and would like to
16 speak, representing 1522 On The Lake Condo
17 Association.

18 MR. FARRIS: Thank you. If I may, I
19 would hope the Commission would give me a little
20 more time since I'm speaking on behalf of 160
21 residents of 1522. Ordinarily the attorneys are
22 given a little bit more latitude.

23 MS. NAJERA: Well, based on the
24 number of people that are providing testimony, we
25 are asking that you keep it to 5 minutes. And if

1 there is something else you would like to add
2 when HPC will be having their public hearing,
3 we'd ask that you provide additional testimony.

4 MR. FARRIS: Well, I don't think
5 that's appropriate. I think I should be given
6 more time, since I'm speaking on behalf of 160
7 people, not just one person.

8 Just some facts. Good afternoon. My
9 name is Todd Farris. I'm an attorney for 1522 On
10 The Lake Condominium Association. I'm passing
11 out to you what I call the 1522 On The Lake fact
12 sheet. I think what's being forgotten a little
13 bit here are the people at 1522.

14 Now, 1522 is 19-story condominium
15 with underground parking which was developed in
16 2001, 2003 by Weas Development. The original
17 closings started in February of 2003. There are
18 95 units. The sizes range from 1,500 square feet
19 to a little over 2,000 square feet, plus four
20 2-story penthouses, three double units. There's
21 a terrace on Level 2, which would be adversely
22 impacted by the proposed development. There's a
23 first floor community room. Parking, as I
24 mentioned before there's underground parking. I
25 think one of the big flaws of planning with

1 respect to this project is the lack of
2 underground parking. There are a couple
3 balconies.

4 1522 includes 160 residents from
5 toddlers to retired people. Most people go to
6 work every day. They're doctors, lawyers,
7 firefighters, retired city employees, retired
8 reporters. And about 70 percent of the people
9 represent the original ownership, as I said,
10 bought the units in February, 2003.

11 I don't have a lot of time here since
12 I have 5 minutes. I also have some books to pass
13 out just to make my presentation here. But I'll
14 leave these, and you can look at them at your
15 leisure. I'll try to make my facts. For the
16 convenience of the Commission I tabbed or indexed
17 things that I think are relevant to what's before
18 you.

19 The first is the Historic Designation
20 Study Report. That's at Tab 1, and I think
21 everybody should -- if it's not in your file, you
22 should review it again and read the Preservation
23 Guidelines at the end.

24 And just a chronology here, which is
25 important to the story of the people at 1522, the

1 Study Report was last revised in February
2 of 2002. It includes Preservation Guidelines at
3 the back that have been referred to, I've seen a
4 couple places now, as boilerplate. But I think
5 they are guidelines that the Commission has used
6 at least as long as I can remember. And the
7 reason they're the same is because the policy of
8 the Commission has always been that you have --
9 if it's an historic structure, historic site,
10 historic district, it didn't matter. You have
11 jurisdiction over the entire site involved in the
12 COA, because anything on site, new construction,
13 addition, affects the architectural integrity of
14 the existing structure, my understanding has been
15 your policy for more than 20 years. And these
16 guidelines reflect that policy at the back of the
17 report.

18 Tab 2 is the Common Council
19 resolution approving the Study Report and
20 adopting the guidelines. That was in March
21 of 2002. The guidelines include, you're probably
22 fully aware -- and I'm kind of speaking mainly to
23 the Historic Preservation Commission -- include
24 guidelines on new construction which require --
25 at least it's been your policy for more than

1 20 years, that new construction be compatible in
2 scale, sizing, exterior materials, everything.
3 That's been your policy.

4 What's being proposed today is a
5 radically different thing. It's a different
6 policy completely, and I submit to you that if
7 you wanted to even entertain that kind of thing,
8 you'd have to go back to square one, study that,
9 and decide whether or not that's your policy and
10 start the process all over again.

11 Tab 3 just reflects that at 1550
12 North Prospect Avenue, New Land Enterprises
13 bought the property in July of 2005 for
14 \$1,925,000. And I think it's fair rental for
15 what is there for rental property, about 10,000
16 square feet -- fair price for about 10,000 square
17 feet of office space.

18 If you approve this new project, now
19 I'd say the land is worth four million.
20 Instantly New Land Enterprises has made
21 \$2 million. And where does that come from? I'll
22 submit to you off the back of the people at 1522,
23 particularly those on the north side of that
24 condominium association whose views, whose air,
25 whose noise, will all be impacted by this

1 project.

2 And, again, if you go back to the
3 timing of this, I talked to Doug Weas about this.
4 The 1522 On the Lake was developed at the same
5 time that the Goll House was being designated,
6 and the reservations on 1522 were started to be
7 made in the fall of 2002 after the property had
8 been designated as an historic structure. The
9 closings -- as I said, we have 70 percent of the
10 original owners here -- the closings on 1522
11 occurred in March of 2003. And if you or I were
12 buying a condominium at 1522 at that time -- and
13 Doug Weas thought this, and this is what the
14 salespeople told people -- was that the historic
15 designation of the Goll House property meant that
16 any development on there would be compatible in
17 size, scale, materials, because that's been your
18 policy since as long as I've practiced before
19 you.

20 Suddenly, what's being proposed now
21 is a complete change from that. And what happens
22 to people who relied on that when they bought
23 condominium units at 1522?

24 MS. NAJERA: Mr. Farris, if you could
25 please provide -- we'll grant you a few more

1 minutes, but I'm not going to say the 5 minutes
2 for 160 residents that you're representing. So
3 if you could --

4 MR. FARRIS: I'm trying to move as
5 quickly as I can. Obviously, I thought I'd have
6 a little bit more time.

7 MS. BALON: I just have one question.
8 I believe the attorney for Mr. Gokhman, I think
9 we gave him 20 minutes. I'm not saying, you
10 know, that we should give him 20 minutes, but
11 perhaps because we are dealing with a legal
12 issue.

13 MR. FARRIS: I'm going to jump a
14 little bit to Tab 10. And this is important, and
15 I would ask all the Historic Preservation
16 commissioners to go to Tab 10. When this issue
17 came up, I'd never seen it before until I saw
18 Mr. Donner's transmittal letter to you where he
19 talked about your jurisdiction being limited to
20 the structure. Never seen that before, and I was
21 surprised. And I was more surprised when I saw a
22 request for the City Attorney's opinion, and then
23 the City Attorney opining that your jurisdiction
24 is limited in the case of a structure to only the
25 structure itself.

1 So that means for all the properties
2 in Milwaukee with only historic buildings on
3 them, you have no jurisdiction if there is
4 anything -- if it doesn't touch the property. So
5 if they took off the connector, I guess, you
6 know, the soft connector they call it on this
7 project, you'd have no jurisdiction at all over
8 the property. That's what they're submitting to
9 you.

10 And -- but that surprised me because
11 that was inconsistent with what my understanding
12 was. So I did a little bit of digging. I didn't
13 have the time to go through all the Common
14 Council files that you have acted upon before,
15 but if you go to your by-laws and procedures,
16 which is Tab 10, at the introduction on, I guess
17 the very first page, the last paragraph, it
18 states there, the Commission views each building,
19 site or historic district as a unique whole that
20 is the product of the sum of its individual
21 parts. For this reason, all exterior alterations
22 and new construction are deemed to affect the
23 architectural character of the designated
24 property and all are subject to the review
25 process.

1 And it states that elsewhere. So
2 this has been your policy, and I'm guessing this
3 was probably adopted around 1981 or so when they
4 recreated the ordinance that governed the old
5 landmarks. At least in the 20 years I've been
6 practicing before you, that's always been my
7 understanding, that you have jurisdiction over
8 the entire property. It doesn't matter if it's
9 an historic site or a building, same.

10 So that brings us kind of to the
11 issue of the guidelines. Now, as we talked about
12 before, the Study Report was adopted and
13 contained guidelines, and the guidelines were
14 approved by the Common Council. And that's per
15 ordinance. 381-81-8 talks about that. And if
16 you change guidelines, if you decide you want to
17 change the guidelines, there's a procedure for
18 that as well. And the procedure is the Common
19 Council has to do that, and they have to do it --
20 they can only do it upon recommendation in a
21 report from you.

22 So if a decision is going to be made
23 because of this project to redo the guidelines
24 and policies and procedures you've been following
25 for more than 20 years, you can't do it right

1 now. You have to go back and study it and decide
2 that's going to be the policy for the entire
3 city, that you're going to change the way you
4 view new construction on properties with historic
5 structures, that you're going to somehow provide
6 for ultramodern projects right next to, you know,
7 early 20th, late 19th Century projects.

8 If that's what you're going do, then
9 you have to do it the right way. You have to go
10 back and study it. You can't do it just in
11 response to New Land Enterprise's proposal on the
12 fly, because to do so would violate the
13 constitutional rights of my residents to equal
14 protection and due process. You can not change
15 the law on the run like this. It would be
16 completely arbitrary.

17 And I understand, folks, that the
18 politics of this is such that there's a lot of
19 pressure on you to support this because the City
20 needs tax base. And I'm a City of Milwaukee
21 resident, and we need tax base. But I urge you
22 to do the right thing, to rise above the politics
23 and do the right thing, to say, no, we can't
24 approve this because it's inconsistent with our
25 guidelines. And if the City wants to pursue it,

1 then you do it the right way and you go back and
2 start over with you studying whether or not this
3 should be the policy of the City.

4 MS. NAJERA: Thank you.

5 Howard Roth is opposed and would like
6 to speak.

7 MR. ROTH: My name is Howard Roth,
8 and I live at 1522 North Prospect. I'm retired,
9 having worked during my career for Harley
10 Davidson, A.O. Smith and Nordberg, a division of
11 Rexnord Corporation. These companies have
12 provided my family with a comfortable middle
13 income lifestyle. The reason I mention this is
14 to dispel the idea that all the people that live
15 at 1522 are rich folks.

16 Now I would like to share with you
17 what it is that keeps me awake about this project
18 at night. I have heard it said by Alderman
19 Bauman that the objections to this proposal are
20 coming from a few rich condo residents wanting to
21 protect their views. There is more to this than
22 the issue of views.

23 Since the acquisition of the Goll
24 House by Boris Gokhman in 2005 and his intent for
25 the property became clear, real estate values of

1 most condos on the north side of our building
2 have declined sharply. This is a fact that is
3 supported by the reassessment by the City
4 Assessor's Office. An analysis of the City
5 Assessor's Office data on 03 and 04 units --
6 these are on the north side of our building --
7 shows a decline of \$1.5 million between 2006 and
8 2008 assessments. While this decline reflected
9 the uncertainty of what Boris would propose, the
10 reality of what we know now is potentially even
11 more debilitating on our future values.

12 Units on the north side of our
13 building are languishing on the market. In fact,
14 the north side of the building has become a
15 pariah on the real estate market in this price
16 point range.

17 So why is this issue so important to
18 me? My wife and I are seniors living off a
19 portfolio that includes mostly fixed income
20 investments. The property value of our home is
21 an important element of our total portfolio. It
22 was carefully crafted to permit us to plan for
23 long-term care and outlive our finite resources.
24 To experience significant changes in property
25 values at this stage of the game will have a

1 profound effect on our financial plan and our
2 ability to grow old in our home.

3 When we purchased our unit, there was
4 ample reason to believe future development there
5 would be prohibited. The Milwaukee Common
6 Council in 2002 unanimously bestowed on the Goll
7 House property the highest degree of historic
8 protection that the City can provide. So I ask
9 you now. Will you set precedent and turn
10 preservation and the lives of some seniors upside
11 down? I ask you to consider carefully as you
12 make a decision.

13 MS. NAJERA: Thank you. Dave
14 Behrendt is opposed, and might like to speak.

15 MR. BEHRENDT: I'm only going to
16 stand here and say one sentence. I hope that you
17 will allow me to give my time to Christopher Kolb
18 who wishes to speak because quite a number of
19 people from 1522 registered against it, but chose
20 not to speak because they expected that Todd
21 Farris would speak for them. Since Todd Farris
22 was curtailed to the amount of time that two
23 people might have had, I hope that you will at
24 least give my time to Christopher Kolb. That's
25 all I need to say.

1 MS. NAJERA: Thank you. You know,
2 this type of meeting hasn't been done before, so
3 I realize we have to be flexible with the time.
4 But also consider that the commissioners, the
5 reason we did that was because if everyone is
6 here representing five or ten people, then this
7 could really get unreasonable in the sense of how
8 much time each person is providing testimony. So
9 please keep that in mind.

10 Judy Jacobson is opposed and would
11 like to speak.

12 MS. JACOBSON: Actually I would like
13 to have Christopher speak in my place as well,
14 please. He's on the list also. And just, by the
15 way, we did sit very patiently for two and a half
16 hours while everyone else spoke. So I think it's
17 only fair to give our folks some time to speak.

18 MS. NAJERA: I would like to ask the
19 Commission. What are your thoughts on this as
20 far as people, you know, dividing up time and --

21 MR. BAUMAN: Madam Chair, 5 minutes
22 is very generous. That's way more generous than
23 the Council provides in hearings. I think it's
24 more than fair. I think people should focus on
25 their testimony instead of arguing about how much

1 time they have. We'll stay here as long as
2 people want to continue to speak. And I think
3 reasonable time limits -- the Supreme Court of
4 the United States places time limits on argument.
5 Every court in this country places time limits on
6 argument, and it's perfectly reasonable.

7 MS. NAJERA: All right. We're going
8 to continue with the 5-minute time limit.

9 As I said, Judy Jacobson is opposed
10 and would like to speak.

11 MS. JACOBSON: No. I would like
12 Christopher to speak.

13 MS. NAJERA: We just stated that if
14 you would like to have the floor, you can right
15 now.

16 MS. JACOBSON: No, I would like not
17 to have the floor, so we can move along and
18 Christopher can speak. Can I not give him my
19 time?

20 MS. NAJERA: No, we decided that
21 that's not reasonable.

22 MS. JACOBSON: Oh, I beg your pardon.

23 MS. NAJERA: Tom Croasdaile is
24 opposed and would like to speak.

25 MR. CROASDAILE: Tom Croasdaile, I am

1 a neighbor at 1522, house number 904. I
2 presented to you in letter form, to both
3 Commissions, my objections. One point I want to
4 make, and I know Todd Farris covered the issue
5 about the property, that the Historic
6 Preservation Commission should judge it on the
7 entire property, not just the Goll House. I
8 think both the legal description that's in the
9 actual designation resolution speaks to that very
10 plainly, very directly. And to a common person
11 like me, I read it exactly as that.

12 The other point I'd like to make
13 is -- and I made in my letter is that given the
14 fact that this is such a valuable piece of
15 property, and what you're going to bestow if you
16 go ahead with this on the COA and the variance,
17 is that I would ask that in your resolution that
18 you would put in there, if the building is not
19 built, if the refurbishing is not done, and
20 attempt to sell is done, that your motions are
21 rescinded. And I ask that you place that in the
22 resolution. Thank you very much.

23 MS. NAJERA: Thank you. Dennis
24 Burgener is opposed and would like to speak.

25 MR. BURGNER: Hi, everyone. I'm

1 Dennis Burgener. I'm an architect here in town.
2 I'm not affiliated with 1522. I don't really
3 know any of the people there. I did go through
4 the building once just to see the building as an
5 architect, and I really want to speak more toward
6 the architectural aspects of this project and how
7 I think it impacts all of us, not just the
8 neighboring parcels but the whole City of
9 Milwaukee, and what I think should be the right
10 decision for the City of Milwaukee.

11 If you look at the context of the
12 site and the neighborhood and the types of
13 structures that are built on that prime area, and
14 they were referenced in the presentation, they're
15 tall residential structures. But almost all of
16 them -- and I think it would be very hard-pressed
17 to find one -- all the parking is below grade.
18 And one of the issues here I think
19 architecturally is this massive five-story wall,
20 less than seven feet from the historic building.
21 And I think that is such an architectural
22 impediment to what is good architecture for the
23 City, what is good architecture for Prospect
24 Avenue, and what is consistent with the type of
25 tall structures, residential structures that were

1 built in this part of town. It's so inconsistent
2 with that, that what should -- I feel should be a
3 driving concern for you in making a decision on
4 this is, is that appropriate? I don't think it
5 is. The precedents of all the buildings prior to
6 this does not justify that. It impacts the
7 historic Goll House hugely. Whether you call it
8 a theatrical scrim or something else, it's a
9 monstrous five-story concrete wall with no --
10 very little articulation to it. And actually it
11 must be six feet taller than the ridge line of
12 the Goll mansion, and it's less than seven feet
13 away.

14 If that were underground and they fit
15 the turnaround and the drive-up level to level to
16 level, within the footprint of the site, so
17 although it is more costly, I would assume, to go
18 down, that same footprint would fit below grade
19 as much as it would above grade.

20 Even speaking to Randy Bryant's
21 comments on the bike path, all the other
22 structures there that do have a parking garage, I
23 believe they don't exceed one story as they --
24 from the Prospect Avenue side. So on the other
25 side, where the bike path side is, the side is a

1 pleasant side to walk on, that I've been on many
2 times, there's only that one story of height.
3 And this building has five stories of height, so
4 I think that would even impact that side of the
5 public way, if you want to call it that.

6 The second thing is the historical
7 aspect. I really think it's a disservice to
8 historic structures and to how a city says it
9 cares about its historic structures when they
10 claim, for example, on this specific project that
11 there is a seminal entrance to the project
12 through the Goll House. If you look through the
13 plans -- and this takes some architectural
14 discussion and awareness -- you walk up to the
15 porch of the mansion, into the mansion, into the
16 public areas of the mansion, and then the only
17 way to get beyond that is to go through the
18 dining room, through a door about the size of
19 that one over there, down another half level down
20 to a level of the building that never existed in
21 the Goll Mansion, just to get into the level of
22 the entry to the new building.

23 So to me, that is definitely not a
24 grand entrance to the building, and it's not
25 even, I would say, very respectful of the mansion

1 itself, because you have to walk through rooms.
2 You don't have this procession of space to get
3 into the new building. It's a very convoluted
4 path of floor levels that never existed.

5 Also there are three stories of
6 windows on the east side of the mansion that face
7 this wall that's less than seven feet away.
8 Architecturally that's just not very well thought
9 through.

10 The last thing -- I know there's not
11 much time, and I hate to waste time, but if you
12 look at the front facade, the facade that faces
13 the avenue, the first level has two metal exit
14 doors, an overhead garage door, an overhead trash
15 door, and the rest of it is this monstrous
16 five-story wall. That's all that's at the
17 pedestrian level, and that fronts the avenue.
18 There is no other building in this town that is
19 that disrespectful to the pedestrian level.

20 The last thing is, and I'll only
21 point out, is those curved areas running for the
22 25 stories above the garage, they're not
23 balconies. There are two air conditioning
24 condensing units sitting on them, and there's a
25 hollow metal door that opens out onto that just

1 to service 40, 50 air conditioning units,
2 fronting the entire -- what would be the street
3 side or the city site of the building. I think
4 that's a very -- that's embarrassing to have a
5 tall building like that and have 50 condensing
6 units fronting the street side. That's all.

7 MS. NAJERA: Thank you.

8 Frances Fargie is opposed, does not
9 wish to speak. Bill Fargie is opposed, does not
10 wish to speak. Carol Muderlak is opposed, does
11 not wish to speak. Anna-Marie Opgenorth is in
12 favor, does not wish to speak. Mary Beth Waite
13 is opposed, does not wish to speak. Christopher
14 Kolb is opposed, and wishes to speak.

15 MR. KOLB: Thank you. I'd like to
16 address both aspects of this unique combined
17 meeting.

18 First, with respect to the
19 certificate of appropriateness, we heard the
20 discussion from New Land Enterprises about how
21 they wanted to open up the review to the site as
22 well as the property. That seems gracious, but
23 it's an inevitable conclusion. No one could read
24 the ordinance and conclude that you do not have
25 jurisdiction over the site.

1 The guidelines for new construction,
2 which are a part of the Historic Preservation
3 Study Report when the Goll House was approved for
4 historic preservation, indicates that issues of
5 scale, form, materials, all have to be consistent
6 with the historic building if they are in
7 proximity to it. In proximity means near. It
8 doesn't mean attached or a part of. So that it's
9 absolutely clear that you have in HPC, purview
10 over the whole entire project.

11 The lawyer from Reinhart Boerner gave
12 you a number of the criteria for rehabilitation,
13 but we're not talking about rehabilitation here.
14 We're talking about new construction. And for
15 new construction, you have to be consistent with
16 respect to materials, roof lines, scale and
17 style.

18 I have -- I don't have the same kind
19 of electronic age visual aids for you, but here,
20 of course, is the Goll House mansion. And we
21 heard some testimony about the difficulty seeing
22 it when you're driving by. Well, I would hope
23 that would be the case. In the second and a half
24 it takes to drive by you wouldn't be paying
25 attention to the Goll House. But I'll tell you

1 the people in my neighborhood -- and I live next
2 door -- walk. And we walk to the lakefront, we
3 walk to the pharmacy, we walk to the grocery
4 store, downtown, everywhere. And people who
5 visit us do the same. Our neighborhood has a lot
6 of foot traffic, and that's where you see the
7 Goll House.

8 Now, there are other projects in the
9 area where the issue of what is a compatible
10 change to the site or the structure -- I have a
11 list -- this is one of them. It's Mawicke &
12 Goisman law firm, and you can see that the
13 original and the extension are all within the
14 same style, same roof line, same material types,
15 and the same window treatment, at least
16 architecturally.

17 The second project was Charles Allis,
18 and again you see a consistency in materials,
19 scope, roof line, and style.

20 Now take a look -- and this is before
21 the latest iteration -- but here we're talking
22 about the Gokhman tower in relation to the Goll
23 House. Do you see any similarity in terms of
24 materials, structure, design, roof line, and
25 scale? There are none.

1 I would submit to the HPC that if you
2 give a certificate of appropriateness to this
3 project, you might as well close up shop. It is
4 inconsistent with your guidelines.

5 And as I said, I live next door. I
6 have a personal interest. I'm not going to deny
7 that. So does Mr. Gokhman. He wants to maximum
8 profit. I want to preserve my value. And it's
9 not for you to decide which of the individuals
10 this support. Fortunately we have a government
11 of laws, not people. You have guidelines, you
12 have regulations, and they dictate that a
13 certificate of appropriateness be denied for
14 this.

15 And, frankly, I was at the meeting
16 where no public comment was made, but yet another
17 hour, hour and a half of presentation from New
18 Land was presented. And the comment from staff
19 people and members of the HPC indicated, yeah,
20 this is not in compliance. Well, that is the
21 answer for you. Others may decide to override
22 you on HPC. But you cannot approve this, given
23 your guidelines.

24 Now I'm going to go straight to the
25 question of zoning. You've seen this picture

1 before, and I've highlighted a little bit for you
2 the properties here because it may not be clear.
3 This is the existing Goll House. This is the
4 apartment building to the north, and this is the
5 condominium at 1522. You will note that the back
6 facades of these building are all approximately
7 the same. Why is that important? Well, zoning
8 laws are designed basically to protect the
9 neighbors. You don't want somebody to put a
10 rendering plant right next door to a residential
11 facility. You don't want a building that's out
12 of scale put there.

13 So the issue is, when you make --
14 want major changes, you go for a Detailed Plan
15 Development. But according to the zoning code, a
16 Detailed Plan Development is for development that
17 is compatible with its surroundings.

18 Now, the fact is, people all along
19 here pay a premium for the views east. And this
20 project will create an alpha dog right out on the
21 bluff blocking the views of both of the
22 neighbors, as well as people up and down the
23 line. That is not compatible with the
24 surroundings of the people that are there right
25 now.

1 There is a provision in the zoning
2 code for a rear street setback that says, any new
3 construction should have an average, no more than
4 an average rear street setback than the two
5 neighbors. Well, the Goll House is already
6 there. It's the average of its neighbors, the
7 back street being Lincoln Memorial Drive. They
8 are starting at the point where they're supposed
9 to stop and then heading out over the bluff.

10 I ask both groups at this meeting to
11 say no to this project. I don't see how the HPC
12 could possibly give a certificate of
13 appropriateness for this. And as far as the
14 zoning goes, this project is not compatible with
15 its neighbors because of its dominance of the
16 bluff and the views. Thank you.

17 MS. NAJERA: Thank you. Peter and
18 Thea Kovac are opposed and do not wish to speak.
19 John Doherty is opposed and would like to speak.
20 Is John Doherty here?

21 MR. DOHERTY: I am. Thank you for
22 the opportunity. I'll be brief. I know this has
23 been a long day for all of you. I live in the
24 neighborhood, live at 1707 North Prospect Avenue.
25 And I'm here not because I have any really dog in

1 this fight, but I do believe that the City had
2 taken a position when it established a
3 designation for the Goll House. Like many of the
4 neighbors, when 1522 went up, I went in to the
5 location, just about made an offer on one of the
6 units there, and the basis for that conclusion
7 was in fact that historic designation, that there
8 would, in fact, be some protection. And I think
9 that the City has taken a position that that is a
10 site, and whether or not you want to carve it out
11 and try to mince words, I think everybody that
12 purchased properties there really believed the
13 City meant that it was going to be a historic
14 designation, and it should stay that way.

15 Now, we didn't buy. We live at 1707,
16 but recently purchased right across down the
17 block. We like the area. I think that the City
18 in fact presented itself as creating a designated
19 site, and to carve out and say it's only the
20 building at this point in time really was
21 disingenuous to the people that, in fact, made
22 commitments on that basis. And you've heard some
23 of them here. And I think you heard most of the
24 people; although, a lot of people are as bashful
25 as I and might be afraid to speak. But in fact I

1 think that they have a right to feel that they
2 were misled by that designation.

3 And the other reason why I wanted to
4 speak is that just as a graduate engineer, from a
5 design standpoint, I find this -- two different
6 buildings on this site, especially -- and I
7 thought that it was -- words out of my mouth --
8 in terms of the parking designation, the parking
9 garage. It's just a crappy design to build
10 parking above grade like that. It just doesn't
11 make any sense. You've got this massive concrete
12 wall. You try to hide behind some shrubs. It
13 just doesn't work from a design standpoint.

14 I like walking the neighborhood.
15 I've lived in the neighborhood for 30 years. And
16 I just don't think the two buildings are
17 compatible. And, secondly, I think you create a
18 disservice if you in fact create a designation
19 for historical preservation, lead one to
20 believe -- at least laypersons to believe that
21 this is a site, and this is not going to be
22 carved up later to describe it as a building.
23 And I think it's a disservice to those people
24 that live there and made personal commitments.

25 Again, I don't have any dog in this

1 fight. My view is not going to be blocked by
2 your decision. But I think that you've taken a
3 position, and I don't think you should take it
4 back. Thank you very much for your time.

5 MS. NAJERA: Thank you. Donn Preston
6 is opposed, does not wish to speak. Natalie
7 Emmer is present. Ted DeAdwyler is opposed, does
8 not wish to speak. William O'Brien is opposed,
9 does not wish to speak. Krishna Dulaney is
10 present. Erynn Jones is present. And I can't
11 read the writing here. Dabby Tomczyk is in favor
12 and would like to speak -- oh, Debby.

13 MS. TOMCZYK: Yes.

14 MR. FARRIS: I would object to her
15 being given any more time.

16 MS. TOMCZYK: I have just five
17 minutes, and I would like to provide some answers
18 actually, because apparently I didn't do a very
19 good job at the initial outset of this whole
20 thing. I guess I wasn't clear that we actually
21 are requesting HPC to take the broader view of
22 its designation and review here. We understand
23 that that's been your practice, and that is what
24 we're asking you to do. So the comments from Mr.
25 Fuchs and Mr. Farris about needing to delay to

1 deal with that jurisdictional issue, I think
2 we've addressed. And I'm asking you to take the
3 broader view and move this forward.

4 In terms of delay, this project has
5 been going on since February, and the
6 neighborhood meeting occurred on August 17th. So
7 there's been ample opportunity for people to
8 provide the reams of paperwork that just appeared
9 today.

10 With regard to -- what I heard from
11 some of the folks from 1522 is that they relied
12 on representations made maybe by -- at their
13 acquisition of the property. I'm not sure that's
14 something that this body can address.

15 With record to property values, we
16 did look at the property tax assessment records
17 for -- that the assessor has from 2007 to 2008.
18 Of the 99 units in 1522, 82 of those either went
19 up, stayed the same or decreased less than
20 1.5 percent from 2007 to 2008. That's
21 83 percent, 82 units. So the assertion that
22 there has been a huge decrease in property values
23 I think is just not substantiated by the facts.

24 There was a question about parking.
25 I think our architects addressed that initially.

1 Because we need to preserve the Goll House's
2 structure and in deference to the 1522 structure,
3 to preserve that we're not -- it would be
4 improper for us to try to do underground parking.
5 It wouldn't be structurally the best alternative
6 there.

7 And I think what I would like to draw
8 your attention to just in conclusion is the
9 letter that Mr. Fuchs wrote on September 8th to
10 City Plan Commission. I think that tells us
11 where 1522 is really coming from. On Page 2 of
12 his letter he says, better that the Goll Mansion
13 simply be taken down. If the site is not going
14 to be preserved, let it be properly developed,
15 remove the building from a designation, raze it
16 and develop it consistent with current zoning
17 category assigned to the property. This would
18 allow for multi-family high-rise, a building in
19 line with other structures, compatible in layout,
20 footprint, size and location relative to the
21 surrounding buildings.

22 So what we tried to design here is a
23 way to preserve the Goll mansion, and the fact
24 that that impacts some property owners' views may
25 not be the best solution in their eyes, but it's

1 also not something that this commission can
2 properly address. Thank you.

3 MS. NAJERA: Thank you.

4 Commissioners, do you any questions,
5 immediate questions? Because my understanding is
6 we're going to have to have a vote to close the
7 public hearing for CPC and then hear testimony
8 for HPC. Do you have any questions, Whitney?

9 UNIDENTIFIED SPEAKER: Point of
10 clarification on the property assessment --

11 MS. NAJERA: Excuse me. Excuse me.
12 There is a motion on the floor right now.

13 MS. GOULD: I have a question I want
14 to ask the architect. This is in regard to the
15 parking plinth.

16 Did you consider an alternative such
17 as putting the parking under the front yard of
18 the mansion? Knowing you explained you couldn't
19 do it below grade at the back, but what about
20 under the front yard?

21 MR. KINDNESS: Let me call up the
22 site plan so we can take a look at that.
23 Whitney, what your question is, is whether or not
24 we considered trying to get some parking below
25 grade near the front of the property. And we

1 have looked at some alternatives for parking, but
2 there are some logistical issues that we need to
3 deal with. First of all, when you get close to
4 the mansion, you need to unpin it, and you're
5 getting very close to possible damage to the
6 building.

7 The building to the north is probably
8 the one that's more primarily of concern because
9 their parking is very close to the property line.
10 And if we go down below one level, we're starting
11 to undermine their building, and those are some
12 pretty serious structural considerations that
13 need to take place. Including with that, if you
14 look at this plan here, if we both go up and
15 down, we cut off any connection to the building.
16 We also cut off any exiting capability from the
17 actual tower itself. So there are some internal
18 logistical issues that make that an
19 impossibility.

20 More importantly, we have consulted
21 with contractors on this one, and we wanted to
22 make sure that we were saying the right things,
23 and there is a very severe impact when you go
24 down on the adjacent properties. I think you
25 heard that we're not going to actually just walk

1 over there and say, hey, do you mind if we need
2 soil, laying it onto your property? That's what
3 you need to get into, some pretty elaborate soil
4 retention capacities in order to achieve
5 something like that. That's why we ended up with
6 the design that we have. But we did look at
7 moving some parking up to the front, but access
8 to that severs any connection. Because if you go
9 up and down at the same time, it severs any
10 connection to the mansion. Does that help?

11 MS. NAJERA: Yes.

12 MR. JAROSZ: Madam Chair, if I could
13 follow up with a question to Scott relative to
14 that topic of the parking. As we know, our
15 struggle with urban parking structures is the
16 open air necessary for ventilation comes up all
17 the time. I don't know that I totally through
18 the drawings understand the screen around the
19 parking. Could you briefly explain it? Is it an
20 opaque screen?

21 MR. KINDNESS: The screen? This is a
22 fully enclosed parking. There is no screening.

23 MR. JAROSZ: So you're mechanically
24 ventilating --

25 MR. KINDNESS: The building is

1 precast. The base of the building that you see,
2 the white color there is actually a white cement
3 precast.

4 MR. JAROSZ: So that's the same thing
5 on the south elevation.

6 MR. KINDNESS: On all four, that's
7 correct. The screening that you may have heard
8 is actually the green screen, which is the green
9 portion in the middle that you see. And that was
10 at the suggestion of both the National Trust and
11 Mr. Jim Shields, was to add something like that
12 to soften it. Before we were looking at more
13 articulation in terms of hard-scaping and
14 different materials. I think thoughtfully and
15 correctly they suggested calming down the west
16 elevation as to not compete with the mansion.

17 MR. JAROSZ: Behind the green is
18 concrete?

19 MR. KINDNESS: Right. That would be
20 applied to the actual surface of the precast.

21 MS. NAJERA: Thank you.

22 Is there a motion to close the public
23 hearing for the City Plan Commission?

24 MR. JAROSZ: So moved.

25 MS. NAJERA: It's only the City

1 Planning Commission.

2 MR. JAROSZ: Oh, I'm sorry.

3 MS. NAJERA: Is there a motion?

4 MS. GOULD: I'll make a motion.

5 MS. NAJERA: Okay. There is a motion
6 and a second. All those in favor say aye. Any
7 opposed? Any abstentions? Motion passes.

8 And now I'm going to hand over the
9 chair to -- do you have any questions?

10 MS. JACQUART: I just had a question.
11 This is an all or nothing proposal. What's the
12 option if it's not approved? What do you -- I'm
13 just curious to know.

14 MR. GOKHMAN: I'm Boris Gokhman with
15 New Land Enterprises, the developer. What are
16 the options? I have five minutes? When -- the
17 first time I got familiar with the Goll mansion
18 was back to 1993. We used to be a painter,
19 painting contractor for Ogden & Company. And
20 Ogden & Company used to have their office at this
21 building, the mansion. And I've been going back
22 and forth hundreds of times to this mansion. And
23 it became available for sale in 1992, 1993 for
24 the first time by Ogden for \$800,000. We
25 couldn't afford to purchase it at that time for

1 that much, and it was a lot of money in those
2 days. And then it came back on the market under
3 the new -- under the previous owner, previous to
4 us, for about \$2 million.

5 The reason Ogden sold this building,
6 because it was inefficient for him as a single
7 tenant office building. The new person who
8 bought it switched it to a multi-tenant office
9 building. Did not work for him either. Doesn't
10 work for us today, financially.

11 People may think, what is reasonable,
12 what is not. We're not here to discuss the
13 financials on this thing, but it's a loser every
14 day. You cannot have gross 10,000 square feet
15 mansion with 40 percent of waste of square
16 footage inside being adapted and converted to the
17 office building for C plus space, \$10 per square
18 foot value, to justify even the real estate taxes
19 on property, not to say utilities. So a hundred
20 years ago it was a beautiful thing. And now it's
21 not in such great shape. Question, why? Why --
22 somebody blame in a previous meeting that, you
23 guys own it, and you didn't take care about the
24 property. Well, we own it for three years. It's
25 been falling apart for I guess 50, 60 years. I

1 was not born that year.

2 Why it's falling apart? Because when
3 it's time to fix the gutters, you should do it
4 proper with the copper, you need \$25,000. If you
5 do it with a couple aluminum extensions, you
6 probably need \$300. That's why half of them are
7 aluminum. Same thing goes to porch, windows,
8 everything else. You may say, what do you want?
9 You may think what you want. But until it makes
10 economical sense, the property will never be
11 fixed properly.

12 There is a million dollars to spend
13 today to fix it, there's probably a million and a
14 half in five years, and probably \$2 million in
15 ten years. And, quite frankly, I don't want to
16 make statement that disrepair and stuff like
17 that, but it goes that direction. It goes that
18 direction, and I did not start it. It started
19 50 years ago for a reason. It's economically not
20 self-supporting.

21 What is going to happen? I guess
22 we're going to continue to own it. We already
23 not using primarily front door anymore because
24 it's not very safe to enter through the building,
25 so we use the side door. In order to fix the

1 porch properly, probably 7,500 and \$25,000. I
2 don't have them. I don't have them. Same thing
3 goes to each and every element of the building.
4 So I'm going to use it until it's usable. When
5 it's not usable, I don't know what I'm going to
6 do. Probably keep it, not occupy it. I'm not
7 joking. It's cheaper to keep this building
8 vacant, no tenants, and just pay real estate
9 taxes and not to pay any utilities, than to start
10 to fix it for a million dollars. That's what is
11 going to happen to the mansion. Thank you.

12 MS. NAJERA: Thank you. At this time
13 I'm going to hand over the chair -- the meeting
14 over to Pat for her to run the Historic
15 Preservation Commission regarding this
16 certificate of appropriateness.

17 MS. BALON: On the agenda it states
18 we're looking for public comments regarding
19 certificate of appropriateness. Is there anyone
20 in the audience that wishes to speak who hasn't
21 already spoken? I think most of the conversation
22 this afternoon has dealt with the entire project.
23 And the certificate of appropriateness that we
24 have in front of us today deals with the
25 presentation that Mr. Kindness gave as to what

1 would be done on the exterior of the building.

2 If there is no additional comment
3 regarding the certificate of appropriateness, I
4 think we need some clarification as to just
5 exactly what is mentioned on -- what is not
6 mentioned on the certificate of appropriateness,
7 but most importantly what we as an Historic
8 Preservation Commission are here to do today.
9 And for that input, I would like to call Paul
10 Jakubovich.

11 Paul, I need some clarification from
12 you, please. As of right now, because there is
13 no public comment regarding COA that was
14 submitted in our packets, and we had comments
15 regarding the things that would be in the staff
16 report that you wrote, things that we would be
17 addressing due to the concrete and all that has
18 been addressed by Mr. Zimmerman. Do you have any
19 additional comments regarding your staff report
20 that Mr. Zimmerman did not touch upon?

21 MR. JAKUBOVICH: No, I think the
22 staff report pretty much outlines what's being
23 done to the exterior of the mansion. Most of
24 those things, by the way, are what we call staff
25 approvals. We usually wouldn't bring that to the

1 full Commission. Like slate repair, for example,
2 even reconstruction of porch, those things
3 usually are pretty straightforward when they're
4 being replaced in kind or restored very
5 accurately. And that was primarily the nature of
6 my report were the -- obviously some expensive
7 things, but they're relatively routine in nature.

8 MS. BALON: Thank you. And the
9 second question being, now that we shall say the
10 approval of -- or the purview of this Commission
11 has now been extended to the full property, which
12 does include the tower which we've been hearing
13 the most comment on this afternoon, just where
14 does this Commission -- what role does this
15 Commission play in that?

16 MS. BROWN: With all due respect,
17 Commissioner Balon, I don't want to put Paul in
18 an uncomfortable position here. If you have a
19 question about that, I'd suggest you address it
20 to the City Attorney.

21 MS. BALON: Okay.

22 MR. HAGOPIAN: Good afternoon. Greg
23 Hagopian, City Attorney's Office. The role of
24 the Commission in this regard is to respond --
25 the role of the Historic Preservation Commission

1 is to respond to the application for a
2 certificate of appropriateness that was tendered
3 by New Land Enterprises. Our office has issued
4 an opinion, dated September 9, 2008, that
5 indicates that when an applicant applies for a
6 certificate of appropriateness, your body should
7 really take a look first to see what was
8 designated historic to begin with in order to
9 understand your appropriate role.

10 And here our office opined that after
11 reviewing very carefully the ordinance that
12 you're responsible for, 308-81, and the
13 underlying Common Council designation that it was
14 a structure only designation. And given that
15 structure only designation -- just paraphrasing
16 the September 9, 2008 opinion -- we indicated
17 that you should respect that, and therefore while
18 you should consider this Study Report and its
19 guidelines and the guidelines that are mentioned,
20 of course, in 308-81-10, I believe, when it comes
21 to the hearing for a certificate of
22 appropriateness, which this is, HPC should
23 consider whether in the case of a designated
24 historic structure, that being the Goll House in
25 this case, the proposed work would detrimentally

1 change, destroy, or adversely affect any exterior
2 architectural feature of the improvement upon
3 which said work is to be done. And that's
4 308-81-9-3-1. And improvements is defined in
5 308-81 as well. And that is what you're being
6 called upon to deal with.

7 Our office is, of course, aware of
8 differing opinions. I think that this body can
9 take notice that the Supreme Court of the State
10 of Wisconsin, and also the Supreme Court of the
11 United States has multiple justices, because even
12 when legal issues get to that level in our court
13 system, even the justices sometimes don't agree.
14 So we are aware that there are differing
15 opinions. We have analyzed those differing
16 opinions, and the September 9, 2008, opinion
17 remains the opinion of the City Attorney's
18 office.

19 Specifically those differing
20 opinions, whether by Cannon & Dunphy or the
21 National Trust for Historic Preservation, did not
22 really take into consideration, analyze or focus
23 upon the word designated as used in 308-81 in
24 multiple places to refer and to be understood as
25 we see it as Common Council designated Historic

1 sites, structures, or districts. I could
2 elaborate further, but I don't plan on really
3 arguing a legal case here.

4 MS. BALON: My question to you is
5 then, with questions that the Commissioners will
6 have regarding the approval or disapproval of the
7 COA, we can make comments regarding our
8 guidelines that refer to construction.

9 MR. HAGOPIAN: Of course, you can.
10 You can take into consideration and comment upon
11 any guideline you wish, whether it be in the
12 Study Report or within the HPC ordinance itself.
13 Also importantly here --

14 MS. BALON: That was my main concern.
15 I wanted to know if we have purview to do that,
16 legally had purview to do that, we had the right
17 to question at this meeting. So we couldn't be
18 doing anything without concert with the City
19 Attorney's Office.

20 MR. HAGOPIAN: Also here the
21 applicant itself welcomed full consideration.
22 And while our opinion is there and is out there,
23 it really addresses the ordinance itself and
24 jurisdictional issues, it doesn't indicate, nor
25 would it be appropriate to indicate how the HPC

1 as a body should vote, nor does it indicate what
2 HPC can and cannot discuss. That is really left
3 within the -- I mean, it's up to the HPC what
4 they're going to discuss, what public comment
5 they're going to hear, how they're going to react
6 to that comment, etc.

7 MS. BALON: Thank you very much.

8 MR. HAGOPIAN: Sure.

9 MS. BALON: We have heard public
10 comment. There is no other individual in the
11 audience that wishes to speak -- I'm sorry. Have
12 you spoken already?

13 UNIDENTIFIED SPEAKER: I have not. I
14 just wanted to present to you, the question keeps
15 coming up about what has been designated as
16 historic. The legislative text of the resolution
17 by the Common Council of the City of Milwaukee
18 designating the Goll House as historic describes
19 the entire property, not just the house.

20 MS. BALON: Thank you very much for
21 your comment.

22 MS. BROWN: Perhaps for the
23 edification of the audience, I would just point
24 out that any historic designation always has a
25 legal property description attached to it. This

1 one is no exception. And legal property
2 descriptions in this county and in the State of
3 Wisconsin have to do with the real property. The
4 reason for that is that the historic designation
5 is registered against the title of the property,
6 so it is clear to any future buyer about the
7 restrictions that are in place. So although it
8 is tempting to conclude that the entire site, so
9 called, is designated because the legal
10 description of the real property is attached to
11 it, that's simply in order to make it possible
12 for us to legally register the designation with
13 the register of deeds. The ordinance language
14 for a structure is very clear that it has to do
15 with the building, the improvement itself.

16 MS. BALON: Going to the
17 Commissioners, comments? Starting with
18 Commissioner Pieper-Eisenbrown, do you have
19 comment?

20 MR. BAUMAN: Madam Chair, why don't
21 we put a motion on the table and then speak to
22 the motion. I would move to grant the
23 certificate of appropriateness as requested. And
24 pursuant to the broader standard as we've been
25 discussing, namely that this application meet

1 both B-1 and B-2 of Section 9 of 308-81 of our
2 City code.

3 MS. BALON: Is there a second to that
4 motion? Hearing none, the motion fails.

5 Comments?

6 MS. McSWEENEY: I'm wondering if I
7 could please speak, because I do need to get my
8 child to an all important soccer game. I do
9 apologize.

10 My comment with respect to this
11 project, I will read to you. I've been making
12 notes throughout. First of all, I'm opposed to
13 any decisions that are based on deciduous
14 greenery, because I think we live in a climate
15 that that should not affect any building
16 decision.

17 I'm opposed to a solid wall surface
18 on the garage that faces both Prospect and north
19 and east and south.

20 I'm opposed to the aboveground
21 parking structure.

22 I'm opposed to the parking structure
23 which is higher than the ridge line of the Goll
24 House as it so shows on the plans.

25 I'm opposed to the AC locations which

1 are visible from the street and from probably a
2 neighbor to the south.

3 I'm opposed to the Goll House east
4 windows that face the solid portion of the
5 garage. I don't know what it's going to be like
6 in that structure when you see that there's no
7 light coming in since the structure is only six
8 foot seven away from the wall.

9 I'm opposed to the Goll House being
10 six foot seven away from the solid wall
11 connector, and the connector which is too
12 shed-like, too small, and definitely just too
13 close.

14 I'm opposed to the solid wall which
15 appears to be seven stories high from the bike
16 path. I counted them. It looks like at least
17 seven.

18 I'm opposed, and I don't understand
19 how the access to the mansion is actually
20 feasible. And I'm wondering if there is another
21 access. If I were a visitor to the structure,
22 would I have to go in through the mansion, up,
23 down, through, back down, and into? And I'm
24 wondering once you enter that garage, is there
25 like a lobby or something? And then, in fact,

1 could I access that lobby from the exterior
2 instead of always going through the house?

3 And then lastly, but not least, I was
4 really troubled by the comment from the developer
5 when he said that he could not or would not
6 occupy the residence in any way if this project
7 fails because of the cost that it would be to use
8 that structure as it is, even though when he
9 bought that property it was historically
10 designated. I find that really troubling,
11 because it sort of sounded to me, and I don't
12 know if this is correct, that if this project
13 isn't approved, it will sit there and just -- in
14 a state of decline.

15 Thank you. And I'm sorry, I have to
16 leave.

17 MS. BALON: Ms. Eisenbrown, your
18 comments, please.

19 MS. EISENBROWN: Are we talking
20 general comments?

21 MS. BALON: Yes.

22 MS. EISENBROWN: (Inaudible) There
23 were two examples that one of the speakers
24 brought up about two other historic buildings
25 that had to have the new construction come under

1 our guidelines if (inaudible) the whole site. My
2 understanding is we're looking at the structure.
3 Both of those other buildings chose that
4 (inaudible) they were both under, you know,
5 nonprofit or owner occupancy, if I'm correct. I
6 think that's very hard to find these days. We
7 could let the building continue to sit and not be
8 feasible and wait for an owner/occupant or
9 nonprofit to come along and purchase it and be
10 willing to put the money in it. But we want to
11 see this building taken care of and restored in a
12 sensitive and appropriate manner. I think it's a
13 very nice marriage of the old and the new, so I
14 support this certificate of appropriateness.

15 MS. BALON: Mr. Bauman, do you have
16 any further comments?

17 MR. BAUMAN: Yes, absolutely. I echo
18 your comments exactly. I want to speak to a few
19 of the issues that were raised. The first issue,
20 this reliance issue, that somehow residents of
21 neighboring buildings relied on historic
22 designation, and from that they claim to have
23 certain expectations. First of all, to the best
24 of my knowledge, no one buying any condominium in
25 the neighboring property ever contacted me and

1 asked me what historic designation means. To the
2 best of my knowledge no one ever contacted anyone
3 at the City of Milwaukee, Department of City
4 Development, Mayor's office, City Attorney's
5 Office, to learn what does historic designation
6 mean.

7 If someone relied on a real estate
8 agent, if some relied on a developer, all of whom
9 have an obvious self-interest to sell a unit and
10 make a commission, as the case may be, that's not
11 the City's problem. Plain and simple, that's not
12 the City's problem.

13 A plain reading of the English
14 language of the ordinance clearly indicates that
15 the alterations of historic buildings are not
16 prohibited and demolition is not prohibited,
17 absolutely unequivocal. Even if the design
18 guidelines somehow rise to the level of a legal
19 expectation, there's still the option of
20 demolition. A property owner has the absolute
21 right, property right, to apply for demolition of
22 an historically designated site, structure,
23 improvement, call it what you want. They have
24 the legal property right to apply for demolition.

25 If an application for demolition

1 somehow finds its way to the Historic
2 Preservation Commission, and that demolition
3 permit is -- that demolition certificate of
4 appropriateness is somehow either granted by HPC,
5 or more likely granted by the Council, on a ten
6 vote majority, in order to facilitate the
7 construction of a \$60 million building, then I
8 think Mr. Fuchs in his letter of September 8,
9 2008, hit the nail right on the head. It would
10 be better for 1522 if you demolished the building
11 and just built a high-rise as a matter of right
12 under current zoning in a consistent line down
13 Prospect Avenue with the existing buildings.
14 That's absolutely true.

15 So all this talk about historic
16 preservation, not by everyone, but by a lot of
17 folks who have communicated on this issue, not so
18 much only today, but through letters and e-mails
19 and other ways, is all phony. Because what you
20 really want -- right, I agree. You're absolutely
21 correct. Mr. Fuchs has it absolutely correct.
22 So if the Historic Preservation Commission
23 actually wants to preserve this historic
24 building, this certificate of appropriateness is
25 the way that preservation is going to happen.

1 Because if it's denied, and the Council upholds
2 that denial -- which in that instance only eight
3 votes are required to reverse this body's
4 decision -- because even assuming that happens, I
5 suspect the next application we get will be for
6 demolition. And then we'll hear everyone coming
7 in and saying, oh, we have to save this building.
8 Why can't they integrate it into the new
9 development? Well, that's what we just got done
10 denying.

11 I think this is an extremely creative
12 way of marrying the old and the new. Had this
13 approach been adopted in 1955 or 1958, we
14 probably could have saved three-quarters of the
15 mansions on Prospect Avenue, and had a very
16 unique blend of historic homes, very high
17 quality, with the newer high-rise, higher use,
18 more valuable use that Prospect Avenue has
19 become. I find this concept novel. I find it
20 entirely consistent with principles of Historic
21 Preservation, not contrary to them.

22 And most of the arguments being
23 raised are smoke screens to disguise the fact
24 people are trying to protect their private
25 interest. That's their right. I have no

1 objection to people looking to protect their
2 private interest, their views, their proper
3 values. That's fine. They have the right to do
4 that. But I don't think we -- interesting we
5 wanted to put everybody under oath before. Good
6 thing we didn't, because I'm not sure we heard
7 honest testimony as to why folks really oppose
8 this.

9 So I think this project is exciting,
10 I think this project is entirely consistent with
11 principles of Historic Preservation, and I think
12 we should endorse it enthusiastically.

13 MS. BALON: Commissioner Ackerman?

14 UNIDENTIFIED SPEAKER: What about
15 alternative proposals? Isn't there anything in
16 between?

17 MS. BALON: With due respect, if we
18 could continue, please. And I know this is a
19 very highly emotional meeting, and I'm sure all
20 of you are thinking thoughts of your own, but if
21 we could just finish with our deliberations, I
22 would appreciate it.

23 UNIDENTIFIED SPEAKER: It helps if he
24 doesn't insult people.

25 MS. BALON: If you would, please,

1 Commissioner Ackerman, your comments, please.

2 MS. ACKERMAN: We've been told that
3 the restoration was going to happen before any
4 sales of any of the units. What happens if it's
5 restored, and there are no sales of units?

6 MS. TOMCZYK: I'm not sure I
7 understand your question.

8 MS. ACKERMAN: With the market the
9 way it is. I mean, I'm just concerned about --

10 MS. TOMCZYK: The restoration will
11 have occurred at that point.

12 MS. ACKERMAN: I'm torn between going
13 both ways on this. I want to save the mansion,
14 and I believe that what Alderman Bauman has said,
15 that probably the only way that's ever going to
16 happen is for us to approve this project, whether
17 we are completely -- whether I am completely for
18 it or not. I do believe that the next step would
19 be demolition.

20 MS. BALON: Mr. Jarosz.

21 MR. JAROSZ: I guess I think that --
22 well, I'm torn, too, about it. I think that in a
23 perfect world it would be nice that we could just
24 save and retain it. And if anything have an
25 addition -- I think one of the people who spoke

1 here showed an addition to a building on the west
2 side just across the street from the Renaissance
3 Center, two, three-story building addition that
4 went to the west that looked sensitive to the
5 existing historic building, or no addition at
6 all. But that's not going to happen here, and
7 I'm afraid that what we're talking about probably
8 is fairly likely. And I can say that, too, from
9 working closely with several owners of mansions
10 on Prospect Avenue, that that is the alternative
11 that wouldn't be that unlikely.

12 So would it be good to have perhaps a
13 less ominous, a shorter building, a smaller
14 building? I suppose. But in the bigger picture,
15 this probably represents a reasonably creative
16 solution for retaining that house. I think we
17 saw some examples with Russell Zimmerman
18 presenting some projects in New York, and there
19 are others in Chicago that showed this matter of
20 retaining shorter buildings and building taller
21 buildings near and adjacent to them. And I think
22 that that is an alternative that represents,
23 first of all, a precedent for having been done
24 and been done successfully in larger cities, and
25 I think a precedent that we could very well live

1 by.

2 The other thing I guess that I feel a
3 little bit assured by -- and there are two
4 matters that I want to discuss, and kind of
5 taking off on what Sandy was saying -- is the
6 schedule of construction. I mean, it's sort of
7 been portrayed that everything is being done in
8 sort of a hurry up fashion. Could you briefly
9 tell us when you would start breaking ground on
10 this thing and when the restoration of the
11 mansion would happen?

12 MS. GOKHMAN: Construction will start
13 obviously after we're going to get all the
14 approvals and we're going to get the financing.
15 There was a question from the audience, what
16 would it require to get the financing. It will
17 require typically 50 percent of the building
18 being sold. So there's 35 units. We need 17 to
19 18 units being sold, which would be the goal.

20 Speaking about when restoration will
21 take place, I mean what if we run out of money?
22 Yes, new building generates funds to restore the
23 mansion. But not from the sales proceeds, from
24 the financing of construction. In the budget of
25 construction, since we are approved -- let's

1 assume that we are approved -- since we approve
2 the DUD, and part of the DUD is a restoration of
3 the mansion. The exact specification how it
4 should be restored, we going to be accordingly
5 placed in our budget in front of the bank. And
6 if something we would have to do, doesn't have
7 money for, then will not simply take the case,
8 you know, simply not approve the loan. Now, once
9 it's approved, and let's say restoration of the
10 mansion with its breakdown costs and everything
11 else sits in the budget of construction.

12 Now, it goes through a title company,
13 and title company releases the money, and it's
14 insurance company, it's insured, the project,
15 releases the money as work is performed. And you
16 cannot take electrician money and pay carpenter.
17 That never happens. And when it happens, people
18 in trouble. Same thing going to be the
19 restoration of the mansion.

20 When is going to start with the
21 restoration? I don't think it's a very good idea
22 to put a tower crane, build a building with the
23 dust and everything else, and at the same time to
24 replace bargeboards. I would rather build the
25 building -- one second. Try to behave. I would

1 rather build the building, and when I enclose the
2 building with the envelope and start to do my
3 interior work in the building, I do restore the
4 mansion. Because there is no dust, there is no
5 tower crane at that time. But as it was stated,
6 certificate of appropriateness -- I'm sorry --
7 restoration of the mansion is a part of my DUD
8 agreement with the city. If I did not complete
9 it, certificate of occupancy will not be issued.

10 I'm not the one who wants to build a
11 \$60 million building and not be able to close on
12 them because I did not restore the mansion. Nor,
13 I believe, I will have 35 buyers in a price point
14 from 1.2 to \$4 million who will agree to buy
15 their unit with an unrestored, falling apart
16 mansion sitting in front of it.

17 So that's my logical answer, but if
18 you willing to listen to my answers, you going to
19 hear the logic. Don't interrupt in the middle
20 when I say, when I build the building. I didn't
21 mean to walk away from the restoration. In fact,
22 I think that having the mansion in front of the
23 building and giving people this unique feature,
24 one of a kind feature, to have this mansion for
25 their enjoyment, is one of my greatest feature

1 that goes with the condominium. That's why --
2 one of the major reason why people will buy it.

3 MS. EISENBROWN: Could I just confirm
4 that you agree to have in the COA some document
5 that the mansion will be restored before an
6 occupancy permit is issued? That's a substantial
7 guarantee, if you will. If they can't complete
8 that building, they have motivation to complete
9 the restoration of the building -- of the
10 mansion, in accordance with the COA.

11 MR. JAROSZ: And Counsel Hagopian is
12 here to understand the importance of that as a
13 legal matter.

14 The other thing I do want to say is
15 that -- and I think that Boris perhaps over the
16 years has also learned this -- that doing a
17 project like this requires assembling the proper
18 team. And when I had heard about this years ago,
19 I understood it probably to be a very
20 controversial project. It seems as though a good
21 amount of consideration has been made and
22 contacts with the proper associations. For
23 instance, at least portrayed in documents that we
24 have here, is an indication that you consulted
25 with the National Parks Service, with Jim Sewell,

1 and he gave this his verbal approval, written
2 approval? What kind of approval or statement
3 came from the National Parks Service? And the
4 same -- I'll follow with the same question for
5 the National Trust. And can you just kind of
6 illustrate or tell us, describe to us what their
7 reaction was? And I think that this is actually
8 very important. I think that we're involved in
9 an emotionally charged circumstance here, and I
10 think that one of the good checkpoints for
11 something like this is to look at people who
12 understand these as a kind of a national
13 phenomenon and have dealt with this in other
14 parts of the country. So could you tell what
15 each of those agencies said?

16 MS. TOMCZYK: I will try. I am a
17 late-comer to the party. I've only been involved
18 in this project for about two weeks, so I'm
19 reciting some history that some of my team may
20 have to inform me about.

21 But we in February had reached out to
22 all of the different individuals that you saw on
23 the Powerpoint slide. I don't want to
24 misrepresent that we received Mr. Sewell's
25 approval, but we did consult with him, and

1 include many of his recommendations in the
2 redesign plans.

3 You have the Memorandum of Agreement
4 from National Trust, which did endorse the
5 project, and there is even an e-mail from them as
6 recent as Friday afternoon reconfirming their
7 Memorandum of Agreement, where again they looked
8 at the project. We've made -- on many occasions,
9 this was a process since February, it wasn't a
10 one-time shot, where they looked at the project,
11 re-reviewed it, we've made changes to incorporate
12 their comments and come back to them with some
13 additional changes. So you have that paperwork
14 actually as part of the certificate of
15 appropriateness application.

16 MR. JAROSZ: So this signature on
17 this document says 7/16/08. So what we saw today
18 in terms of elevations, plans and the whole
19 works, is what they saw on 7/16/08.

20 MS. TOMCZYK: No plans have changed
21 since that has been signed. That is exactly
22 right.

23 MR. JAROSZ: Well, thanks. And I
24 think that the Milwaukee Alliance for
25 Preservation, Randy Bryant, testified. It seems

1 like it certainly has gone through a number of
2 the kind of groups and organizations that are
3 concerned with these matters, and they all seem
4 to support this. So I will have to say that for
5 what I see and what's been presented today, I
6 support this certificate.

7 I have another question too, perhaps
8 a procedural question, Martha. Does this
9 represent now -- and it's the question that
10 always comes up -- does this represent our last
11 sort of review or discussion, HPC's last review
12 or discussion or, for instance, the concerns that
13 Sandra had, the six or seven concerns about, you
14 know, perhaps material items and specific
15 distances away from the existing and so forth,
16 are those matters that can be discussed again in
17 the future, or will the approval be sort of based
18 on the details of this as a final matter?

19 MS. BROWN: I'm going to answer that
20 as the staff who has been advised by the City
21 Attorney with respect to your jurisdiction. And
22 that, yes, today would be your day to talk about
23 this. If your -- the City Attorney has advised
24 that your review is constricted to the impact of
25 this building on the exterior -- the impact of

1 this project on the exterior architectural
2 features of the Goll Mansion. So the concerns
3 about the tower and so forth, would not come back
4 to you.

5 However, you are sitting here today
6 with the City Plan Commissioners who will have
7 total jurisdiction over that. And one of the
8 reasons we worked to put this unique and special,
9 very special joint meeting together today, is so
10 that the Historic Preservation -- that
11 Commissioners' viewpoints would be fully heard by
12 the City Plan Commissioners, who have, as you
13 know, not taken a vote, not had a discussion, not
14 taken any action. However, when they do so later
15 today, they will be fully informed by the
16 comments that you have made.

17 But under the City Attorney's
18 opinion, issues regarding the tower, the wall,
19 the green screen and so forth are really under
20 the purview of the Plan Commission.

21 MR. BAUMAN: Madam Chair, I guess
22 that was my point. I thought all those
23 objections, while some having some interesting
24 merit, were zoning issues, not Historic
25 Preservation issues, and they should clearly

1 be considered by the Plan Commission, considered
2 by the Council.

3 I mean, we get into all those. The
4 air conditioning question, that little balcony,
5 how that -- what that has to do with Historic
6 Preservation, I really don't understand. It
7 seems to be an interesting point, however, and I
8 was very glad for that. Whoever that was that
9 brought that up, I thought that was an insightful
10 comment. I had not noticed that particular use
11 of those balconies, which does raise some issues
12 involving noise potentially -- well, noise is a
13 big thing. But that's really a zoning issue, and
14 I have no problem with the Plan Commission
15 weighing in on that, and very well get involved
16 in those issues at the Council level when we
17 review the zoning. But that's what a Detailed
18 Plan Development is for, to get your arms around
19 those kinds of details. That's the precise
20 point. So I thought they were good points, but I
21 don't think they affect the HPC consideration at
22 all.

23 MR. HAGOPIAN: Also, one practical
24 thing to keep in mind is that the project is
25 reflected by the DPD, and if the HPC were to

1 require some sort of change in terms of building
2 footprint that differs from the DPD, then the
3 developer would have a COA -- well, first of all,
4 under the ordinance if the HPC were going to
5 mandate that, there would have to be an agreement
6 by the developer to accept that. And if the
7 developer didn't want to accept that, then the
8 developer could appeal to the Common Council, if
9 that were a reason for the HPC to deny a COA.

10 But getting to the practical point,
11 if the HPC were to require a building location
12 change as part of the COA it issued, and if that
13 requirement of a building change differed from
14 the DPD zoning, and where the DPD indicated the
15 building would be, the developer would have a
16 very difficult time building the building because
17 the developer would be looking for proper zoning,
18 proper zoning in addition to a COA. So that type
19 of inconsistency would pose some very realistic
20 problems, assuming the HPC had the jurisdiction.

21 MS. McSWEENEY: Well, I think I have
22 two comments. One is related to your comment,
23 and that seems that there is some interpretation
24 or misinterpretation or differing interpretations
25 of this 308-81-9 between the attorneys of some

1 fairly recognized law firms and the City
2 Attorney. So I'm not sure we can make that
3 assumption that we can't make a decision based on
4 anything else.

5 And then secondly, in our guidelines,
6 or the Page 118, it says that in case of
7 construction -- in new construction or new
8 improvement within the district, the exterior of
9 such improvement if it would adversely affect or
10 not harmonize with the external appearance of
11 other neighboring improvements on such site, then
12 it is within our jurisdiction.

13 So I think that all of this is not
14 totally clear. And so maybe we should discuss it
15 based on the fact that it might be. Because I'm
16 not comfortable making some of these decisions,
17 and then saying, well, we could have said
18 something about it, but we were told we couldn't.
19 It's too late.

20 MS. BALON: With due respect to
21 Alderman Bauman, he has involvement on the part
22 of this district, but also Alderman Kovac. So
23 with due respect, I would like to have Alderman
24 Kovac come up and make comment in response, or in
25 conjunction with.

1 MR. KOVAC: I represent the Third
2 District, which is directly across the street
3 from this site. And there has been some
4 conversation that I had with Alderman Bauman and
5 with the developer about the issue of how are we
6 going to be sure this happens. I certainly
7 applaud the fact that Preservationists have been
8 brought into this process early in the design
9 phase.

10 And I think the developer's lawyer, I
11 thought, earlier had said that the restoration
12 would happen first. Then Mr. Gokhman indicated
13 that the tower would be built first, at least the
14 exterior. I want to get some clarity on that,
15 because I appreciate it's a difficult decision
16 for all you. It will be a difficult decision for
17 myself and my colleagues whether this is the best
18 way to preserve the mansion. So my question is,
19 how can we be sure? I understand there are
20 issues of whether they will get a COA as a
21 practical matter. Although, I wonder if they
22 really started building an entire tower, and then
23 suddenly they don't quite restore it like they
24 promised, as a practical matter is there really
25 going to be any way to guarantee this? So I

1 would be curious what our guarantees really are
2 that it's going to be restored as indicated now.

3 MS. TOMCZYK: If I could, and in
4 construction phasing, I'm the dumb boy dirt
5 lawyer. So the construction folks know that
6 better than I do. But I think Ms. Pieper's
7 solution is the right solution, which is that no
8 occupancy certificates would be issued until the
9 Goll House mansion restoration is complete. I
10 know there may be a concern about conditioning
11 that to the zoning, make that a condition to
12 finish the certificate of appropriateness. If we
13 fail to do that, you'll be able to revoke that
14 certificate of appropriateness, and I think
15 that's a pretty iron clad assurance.

16 MR. KOVAC: Well, as a practical
17 matter, if the building is halfway built up in
18 the sky, you're suddenly going to go, oh, no, you
19 can't move into it?

20 MS. TOMCZYK: Not being able to sell
21 the units is a pretty serious remedy for us.

22 MS. BROWN: If I may, I want to draw
23 on my five years of experience in managing
24 development permitting for the City of Milwaukee,
25 which is when I first got involved with historic

1 preservation as well. This is the way it always
2 works. A building permit is issued. The
3 building permit -- when the building permit is
4 issued, that building permit is essentially the
5 City's stamp of approval saying that the plan
6 that has been presented comports with the state
7 building code, City of Milwaukee building code,
8 and City of Milwaukee zoning, and any other
9 special district requirements that would be
10 imposed because something was with a historically
11 designated property, it was within a renewal
12 district and so forth.

13 In this case, whenever a building
14 permit is issued, then of course there is a
15 series of inspections that goes on. And the
16 inspections are to make sure that that building,
17 that project is being built according to the
18 plans that were presented and permitted.
19 Occupancy certificates are not issued until that
20 building is completed in accordance with the
21 plans under which that permit was issued.

22 This particular zoning that is being
23 contemplated, Detailed Plan Development zoning,
24 covers every aspect of this project. It's
25 unusual. A normal zoning, if you're just going

1 to build a building, you're not going to have all
2 these comments about what kind of vines grow up
3 the side or what kind of landscaping is installed
4 and so forth, Detailed Plan Development zoning by
5 ordinance covers all of those aspects, traffic,
6 landscaping, height, placement, all of it. A
7 Detailed Plan Development project, which is the
8 zoning that's being sought here, covers every
9 detail, and, therefore, the occupancy certificate
10 for any project that's built under DPD zoning is
11 not issued until the finished product comports
12 with the plans that were approved, including all
13 of those details in DPD zoning.

14 I bring this up or I am trying to
15 explain this just because there is -- the law
16 builds that guarantee in. Occupancy certificates
17 cannot be issued for any project until they are
18 completed in accordance with the approved plans
19 under which the permit was issued. And the
20 zoning change, the COA are all prerequisites for
21 getting a building permit. And, of course, the
22 sale of a number of units, of condos, also is a
23 pretty big prerequisite for the developer. But
24 these protections are built into the way business
25 is done every day on every building permit.

1 MS. BALON: Thank you for that
2 clarification. Any further questions from the
3 Commissioners?

4 MS. EISENBROWN: I would like to go
5 back to what Commissioner Jarosz brought up, if
6 this is the very last opportunity as HPC to
7 comment on this. I'm going back a little bit.
8 What I should have said before, my understanding
9 is that according to the City Attorney, HPC is to
10 review the structure of the Goll Mansion, any
11 modifications, repairs, restoration of that, so
12 we're approving the mansion. But one of the
13 things that makes it easy to approve the mansion
14 is the whole site thing, and how they integrated
15 the new and the old in my mind. It's easy for me
16 to say, oh, they are restoring the mansion in
17 accordance with the guidelines. But the passive
18 role for us, once we -- if we approve this COA,
19 can we ask the Plan Commission to come back to us
20 if there is significant change to plan
21 development, if there is a change to the
22 footprint or the connector, or somehow they're
23 going to encroach on the front? What are our
24 options? How does that pass down?

25 MS. BROWN: I would say that if there

1 are any plans -- any changes to the DPD and the
2 plans under which the DPD is created that have an
3 impact --

4 MS. EISENBROWN: Substantial.

5 MS. BROWN: Yes, yes, that have
6 changes on the structure on the Goll House
7 Mansion, then obviously you would have to -- as I
8 said during my staff report, you would have to
9 have a revised or new COA and all the
10 accompanying discussion of it prior to a building
11 permit being issued.

12 And I'm sure -- I hope that you're
13 going to take every advantage of your being
14 together today to express every concern you have
15 about portions of this project that you may not
16 have jurisdiction over, but that definitely have
17 impact on how this project works. As we've heard
18 Commissioner McSweeney had a list, and
19 Mr. Jarosz expressed some concerns as well. This
20 is your opportunity. These are the commissioners
21 who do have jurisdiction, without question.
22 Regardless of competing legal ideas of who has
23 jurisdiction, I can tell you for sure, this group
24 does have jurisdiction, and it's important for
25 them to hear any concerns you have today.

1 MS. BALON: Ms. McSweeney, do you
2 have further comment on that?

3 MS. McSWEENEY: Well, I think there's
4 absolutely a negative effect upon the Goll
5 Mansion with respect to the parking, with respect
6 to the structure of the parking being higher than
7 the ridge line, with respect to the AC, with
8 respect to the fact that the windows on the east
9 won't get any daylight, with respect to the
10 connector being -- so I think those all very
11 negatively impact the Goll House.

12 Now, I'm not saying anything about
13 this other building. I'm saying these all affect
14 that structure, and that is of concern to me.
15 And it isn't for us to say that it's too
16 expensive or impossible to put underground
17 parking in, because that's not for us to decide
18 or -- so I think the things I said, A, very much
19 follow our guidelines here, that they do not --
20 they do adversely affect the structure.

21 MS. BALON: Any further comments by
22 any of the Commissioners or Alderman Kovac?

23 MR. KOVAC: Yes. I would like to go
24 further into this about what guarantees we have.
25 Because there was a Memorandum of Agreement

1 signed between the Milwaukee Preservation
2 Alliance and the National Trust and the developer
3 promising things about Secretary of Interior
4 standards. I'm trying to figure out exactly what
5 is to be written into the DPD or other further
6 steps that can be taken to guarantee that the
7 restoration will in fact happen up to a certain
8 standard. And it's being said that we can write
9 this into the DPD. I think the charge to the
10 Historic Preservation Commission might be to
11 achieve some kind of guarantee.

12 I mean, there has been discussion of
13 easements and letters of credit, of money in
14 escrow. I know the developer, at least in
15 conversations we had, is resistant to this, but
16 it's something I think is worth exploring, the
17 legal implications that were also worth
18 exploring. And, you know, what guarantees do we
19 have currently other than the certificate of
20 occupancy at the end when we're potentially
21 dealing with a project that's substantially
22 built, substantial development has already
23 happened.

24 Realistically I can't imagine a
25 certificate of occupancy not being granted in

1 that case, no matter what the mansion looks like
2 or how it's been restored. So realistically now
3 is the chance to achieve these guarantees.

4 MR. HAGOPIAN: I don't think that the
5 City Plan Commission or Common Council or the
6 Historic Preservation Commission has the
7 authority to mandate that the developer
8 contractually obligate or put up some letter of
9 credit or financing to make guarantees here. The
10 zoning is what the zoning is, and the applicant
11 has applied. And so if the applicant seeks a
12 change in zoning, regardless of what the
13 developer is willing to contract to or for, is
14 really not germane. It's the zoning standards
15 only that apply.

16 MR. BAUMAN: If I can interject.
17 That's, of course, true, black letter law. But
18 as a practical matter, payments in lieu of taxes,
19 we can't demand those either as a condition of
20 granting some sort of zoning approval, but
21 somehow they're magically presented as part of
22 the proposal, and we weigh it in among the
23 numerous factors we weigh in making any decision.

24 So let's not get too technical as to
25 what the black letter of the law says. This is a

1 political environment. These are
2 quasi-political/legal type decisions we're
3 making. And I think what Alderman Kovac is
4 saying -- and correct me if I'm wrong -- is that
5 he's in general support of this project because
6 it does preserve this house and develop the site
7 and improve the -- expand the tax base, but he's
8 concerned -- again, I don't want to put words in
9 his mouth -- based on past experience that maybe
10 the restoration part kind of falls off the table
11 as this project moves forward. And that's a
12 legitimate concern.

13 Is that a fair statement?

14 MR. KOVAC: Sure, that's fair.

15 MR. BAUMAN: And if the developer is
16 willing to come forward and say, well, I want to
17 reassure everyone beyond a reasonable doubt, yes,
18 there is the occupancy permit issue; yes, I can't
19 sell these units if I don't have occupancy; but I
20 want to assure you beyond any reasonable doubt,
21 and I'm going to do X, Y or Z. I'm not telling
22 him what to do. I wouldn't presume to do that
23 because that's not my job. I don't have that
24 power. But if something were offered, I think
25 the Council would look at that very -- would

1 place great weight on it, because it is a
2 concern.

3 MS. TOMCZYK: Might I make that
4 offer? You have the Memorandum of Agreement as
5 part of our application for the certificate of
6 appropriateness. That outlines, as was described
7 by Milwaukee Preservation Alliance, all that
8 needs to happen from their perspective to make
9 this historically appropriate. That is a part of
10 the certificate of appropriateness. We would
11 deem that to be an appropriate condition to the
12 certificate of appropriateness.

13 There were concerns about that being
14 a condition of zoning. We're comfortable with
15 that being a part of the zoning as well. But the
16 certificate of appropriateness is also going to
17 be a key part of the Detailed Plan Development
18 ordinance itself as well. So integrated all
19 those items through the DPD and the COA. Does
20 that respond to your question?

21 MR. BAUMAN: Well, I supported it
22 going in. So I'll turn this over to some of the
23 others for their concerns. I think we have one
24 Commissioner who's not going to support this
25 under any conditions, and three or four who seem

1 to have concerns, but generally support it. We
2 can keep going on about this.

3 I think it's more whether this
4 satisfies the Council's concerns at this point.
5 The Commissioners may have concerns as well, but
6 I suspect we'll move this on, we'll hopefully
7 move this on to the next arena and do this all
8 over again with the public testimony and the
9 exhibits and the presentation. And that's great.
10 But that, I think, will become a relevant
11 consideration moving forward.

12 MS. TOMCZYK: And the Memorandum of
13 Agreement has already been signed by New Land.
14 It's something they're committed to, the extent
15 that needs to be part of this appropriate file,
16 we have no objection to that.

17 MR. KOVAC: Who would enforce that?

18 MS. TOMCZYK: Who would enforce that?
19 I see the City staff shaking their heads.

20 MS. BROWN: Perhaps what we could do
21 if this would move this along is, I'll amend our
22 staff report to add another condition to it. You
23 will recall that there were three conditions on
24 the report with respect to tuck-pointing and the
25 front porch and shop drawings for certain

1 elements. I guess I would suggest then that I
2 amend the staff report to add a fourth condition,
3 and that condition would be that the construction
4 and restoration on the Goll Mansion be done in
5 accordance with the Memorandum of Agreement that
6 was presented to you by the developer.

7 MS. TOMCZYK: We would have no
8 objection to that.

9 MS. BROWN: And then that also
10 becomes part of the condition for the issuance of
11 the building permit and the --

12 MR. BAUMAN: Just so we understand
13 what that means. It becomes a building
14 inspection issue then.

15 MS. BROWN: Yes, it does.

16 MR. BAUMAN: Basically it will become
17 the law of the case, the law of the project in
18 essence. If these promises weren't delivered on,
19 then we would go out like we go out and inspect
20 buildings for zoning violations and building code
21 violations and for any other failure to comply
22 with zoning, even particular zoning, and we would
23 issue fines perhaps, or we could shut the project
24 down.

25 MS. BROWN: That's correct. It would

1 be like --

2 MR. BAUMAN: You have the authority
3 to shut down the project; is that right?

4 MS. BROWN: Yeah, I think you would.
5 It would be like issuing a building permit and
6 saying that you approve the permit as long as you
7 install a certain number of sprinkler heads in a
8 certain part of the building. And if those
9 sprinkler heads are not installed, the
10 inspector --

11 MR. BAUMAN: Have you ever done that,
12 to your knowledge?

13 MS. BROWN: -- can't issue -- oh,
14 absolutely we have. I don't say we have ever
15 done it with respect to a Memorandum of Agreement
16 on a certificate of appropriateness, but there is
17 no question that we have. Yes, that's not
18 uncommon to have a condition on a permit that
19 relates to a life safety issue, and then this is
20 applying that same analogy.

21 So if it's helpful to amend the staff
22 report to recommend that as a fourth condition, I
23 think that would be a good idea.

24 MS. RABATIN: Sorry to interrupt.
25 Becky Rabatin, I'm a zoning inspector with the

1 City of Milwaukee and Department of Neighborhood
2 Service. I'm also a Historic Preservation zoning
3 inspector.

4 I have shut down projects. Being
5 that I understand this case, even if I'm moving
6 to another position, I would make sure that the
7 Commissioner is well aware of the particular
8 circumstances. If I were to see that there were
9 occupancies being given out and that the
10 restoration of the Goll Mansion has not been
11 completed, I would basically issue an order for
12 them to vacate until that has been taken care of,
13 or whoever would be in that position as well.

14 MR. BAUMAN: Have you done that?

15 MS. RABATIN: We have done that when
16 they have not complied with the conditions of
17 their approval, usually for zoning issues. Also
18 if a construction is being completed and they had
19 not received a certificate of appropriateness --
20 I'm thinking of the Eagle Ballroom. I ordered a
21 stop work order and that they could not start
22 working until they met with Paul and received a
23 certificate of appropriateness. So I would make
24 sure that that would be happening.

25 MS. BALON: Thank you for your input.

1 Any further questions for the
2 Commissioners?

3 MR. JAROSZ: I guess I missed her
4 name. Are there any -- currently any violations
5 with the house that you know of? I'm a little
6 nervous about -- Boris gave us a little
7 description of the schedule and so forth, but in
8 this slow residential market, you know, I'm
9 worried about a couple years passing by and
10 gutters not fixed, and I looked in back, there
11 was a window that was open, looked like it was
12 broken on the east side and so forth. Can you
13 just give us an assessment of what the condition
14 and so forth is right now?

15 MS. RABATIN: Actually I have not
16 gone out to the building site. I'm a zoning
17 inspector, so if I get a complaint in regards to
18 something with historical, I will go out. And
19 usually the residential code enforcement sectors
20 write those orders.

21 And sometimes they -- and I just had
22 our IT staff change the statement that it
23 requires a certificate of appropriateness from
24 the bottom of our orders, to the top and to bold
25 those as well. Because many times our

1 residential inspectors were going out, writing
2 orders, were not even aware that they needed to
3 have a certificate of appropriateness, work was
4 being done, and it was -- no certificate of
5 appropriateness was being taken out. So I had IT
6 correct that.

7 And I am now having a report run to
8 see all the orders that are written that are
9 historically designated buildings to see, to
10 check with those inspectors to make sure that a
11 certificate of appropriateness has been obtained
12 prior to any work starting.

13 So in regards to the particular
14 condition of that building, I cannot say. But I
15 can go out there tomorrow and check, because I
16 have another building on Prospect to go check
17 out. So I can do that, but that doesn't
18 help you now.

19 MR. JAROSZ: You know, looking at the
20 pictures, driving by, it looks like it's in
21 pretty good shape. I don't know that water is
22 getting in or anything like that. But if this
23 process of selling units, so forth, takes several
24 years, I'd like to know that that house is also
25 being carefully guarded from any further

1 deterioration.

2 MS. RABATIN: Another protection
3 could be that a residential inspector could write
4 an order, and with that -- and then be aware,
5 made aware of the certificate of appropriateness
6 in regards to just the mansion itself, as a means
7 of protection as well, that could happen as well.

8 MR. BAUMAN: I think it's great that
9 you came up here, because I know this works the
10 way you say it does, because I have asked DNS to
11 do being exactly what you say you've done in
12 specific cases, hold up occupancy permits, issue
13 orders to stop work, and you've done it, so I
14 know it works that way. And I think there's a
15 perception perhaps that, well, yeah, a big
16 building, lot of money, nobody is going to stand
17 up to the developer in that situation. Could you
18 speak to that? Have you stood up to developers?

19 MS. RABATIN: I have stood up to
20 Boris before. Where is Walter at? Walter can
21 attest that we've gone a few rounds in Standards
22 and Appeal.

23 MR. BAUMAN: And Standards and Appeal
24 is the commission to which one appeals building
25 code orders, correct?

1 MS. RABATIN: Right, exactly.

2 MS. BALON: Thank you for your
3 comments. Any additional questions, comment?

4 Otherwise, may I have a motion?

5 MS. EISENBROWN: I will make a motion
6 to approve the certificate of appropriateness as
7 written by the staff with the conditions
8 regarding tuck-pointing, rebuilding, shop
9 drawings as on the staff report; and also that
10 the certificate of occupancy be contingent upon
11 complete restoration of the exterior of the Goll
12 House in accordance with the staff
13 recommendation.

14 MR. HAGOPIAN: May I just suggest
15 that the certificate of appropriateness have the
16 condition that the rehab of the Goll House has to
17 comply with the standards in the MOA. So that
18 it's clear that the occupancy permit doesn't have
19 that condition, but the COA has that condition.
20 And also so I think everybody understands, zoning
21 wouldn't have that condition.

22 MS. EISENBROWN: Okay. So that the
23 occupancy permit is not issued until the mansion
24 is fully restored, if that's what you're saying.
25 If I said it incorrectly, that was my intent.

1 MR. HAGOPIAN: Restored per the MOA,
2 that's what I'm saying.

3 MS. EISENBROWN: Okay.

4 MR. HAGOPIAN: Just a suggestion.

5 MS. BALON: Madam Secretary, could
6 you read back that motion again, please, so
7 that --

8 MR. BAUMAN: That would be you,
9 Martha.

10 MS. BROWN: I'm not going to claim
11 this is an exact wording, but I want to make
12 sure -- let's just get the sense of it. I
13 believe Commissioner Pieper-Eisenbrown moved to
14 approve the certificate of appropriateness as
15 written by the staff, with the additional
16 condition that the restoration work be done in
17 accordance with the Memorandum of Agreement
18 presented by the developer. Is that pretty much
19 it?

20 MS. EISENBROWN: There were two.
21 Issuance of occupancy permits.

22 MS. BROWN: And I'd say that part is
23 inferred by any building permit. The work has to
24 be done in accordance with --

25 MR. JAROSZ: Let's put it in.

1 MS. BALON: Is there a second to that
2 motion?

3 MR. BAUMAN: Second.

4 MS. BALON: All in favor. Opposed?

5 MS. McSWEENEY: May I state my
6 opposition as to what it is? I do not think it
7 follows our historical guidelines with respect to
8 the connector, with respect to the windows, with
9 respect to the AC, with respect to the parking
10 structure being higher than the Goll House and
11 six foot away, and with respect to the single
12 solid wall -- as I stated first. But it does not
13 follow our guidelines, B2.

14 MR. BAUMAN: If I could comment on my
15 vote as well, Madam Chair. I want the record to
16 be very clear, I think all the Commissions should
17 perhaps clarify their view as well.

18 My vote is based squarely on the
19 broadest possible interpretation of the Historic
20 Preservation ordinance. Under any conceivable
21 standard that this ordinance imposes upon a
22 private development, I feel that this project
23 advances the goals, principles of Historic
24 Preservation that this ordinance was meant to
25 advance.

1 So -- and I don't want to get into a
2 fight over what legal standard was used and did
3 the Commission err in applying the wrong legal
4 standard to the facts that were presented today.
5 Af far as I'm concerned, my vote would have been
6 based on virtually any interpretation of or any
7 legal standard that one could interpret this
8 ordinance requiring this body to apply. Because
9 I think in the overall sense this project
10 advances the goals and principles that this
11 ordinance was seeking to achieve. Thank you,
12 Madam Chair.

13 MS. BALON: That being said, any
14 further comment? The motion carries.

15 UNIDENTIFIED SPEAKER: Can we inquire
16 if the motion has that condition? Is occupancy a
17 condition or merely an --

18 MS. BALON: Martha, would you read
19 the motion, please? Did you not hear that
20 before, sir?

21 UNIDENTIFIED SPEAKER: I heard it,
22 but I'm sure --

23 MS. BROWN: The motion is to approve
24 the certificate of appropriateness as written by
25 staff, with the additional condition that

1 restoration work be done in accordance with the
2 Memorandum of Agreement presented by the
3 developer. And that will be part of the
4 certificate of appropriateness on which the
5 building permit and eventually occupancy of the
6 building is based.

7 MS. BALON: Thank you.

8 MR. HAGOPIAN: One other thing, if I
9 may. One thing that the rest of the voting
10 members of the HPC may want to consider is, if
11 you indeed think, like Alderman Bauman
12 articulated, if you were to state that on the
13 record, you could do so at this point, that
14 regardless of what legal interpretation was given
15 to the jurisdiction.

16 MS. BALON: That's not part of
17 this -- at this juncture, I think it's
18 inappropriate. But both sides and I think
19 National Trust has set it out very clearly that
20 our purview is over the entire property and not
21 just the building and the four walls.

22 Any further questions?

23 MR. BAUMAN: Madam Chair, I think
24 it's important that everybody state that on the
25 record so there's no confusion. Because it's no

1 doubt that any opportunity to litigate and stall
2 this process will be used. I'm being perfectly
3 frank here. It's no surprise. There's teams of
4 -- see, that's right. So, I mean, that's very
5 clear on its face. And so we should be
6 absolutely clear that if all the Commissioners
7 were in fact operating on your assumption, which
8 I happen to agree with, that I would apply the
9 National Trust interpretation of the appropriate
10 legal standard, a more broad standard, if that's
11 what everybody was relying on in voting based on
12 the evidence they've heard today, I think we
13 should say so, so we don't end up with some court
14 saying it's unclear what legal standard was used
15 by this body in reaching its conclusion. Then we
16 come back for another hearing, and in three
17 months we're right back here again. Or somebody
18 just comes in with a demolition application
19 because they're tired of fooling around. We deny
20 it, it goes to Council, they pass it, and they're
21 on -- off to the races.

22 MS. McSWEENEY: Are you talking about
23 this document that he forwarded to us, he, our
24 City Attorney? No, you're not. See, I was
25 talking about this document. This was -- so I

1 was basing my comments on this. You're basing
2 your comments on this.

3 MR. BAUMAN: I'm agreeing with you,
4 that's it a broader legal standard than what our
5 City Attorney has opined it is. I agree with you
6 on that. But if everybody has agreed, we should
7 say so.

8 MS. McSWEENEY: Okay.

9 MR. BAUMAN: If everybody feels that
10 that's the appropriate legal standard,
11 notwithstanding that legal advice we received,
12 then we should say that on the record. So if
13 this does get litigated, there's a clear record
14 that says HPC based its decision not on the
15 narrow interpretation advocated by the City
16 Attorney's Office, by the broader interpretation
17 advocated by virtually everybody else.

18 MS. BALON: By National Trust.

19 MR. BAUMAN: By National Trust.

20 MS. BALON: Commissioner
21 Pieper-Eisenbrown, your comments regarding this?
22 Do you concur?

23 MS. EISENBROWN: Yes.

24 MS. BALON: Alderman Bauman?

25 MR. BAUMAN: I concur.

1 MS. BALON: Commissioner Ackerman?

2 MS. ACKERMAN: Yes.

3 MS. BALON: Commissioner Jarosz?

4 MR. JAROSZ: I concur with that. I
5 also will go a step further in saying that our
6 broad interpretation of this matter and how we
7 discussed this and so forth was also the stance
8 taken by those organizations that we have
9 mentioned, namely the State Historic Society, by
10 the National Trust, by the Milwaukee Alliance for
11 Preservation, by the Milwaukee Parks, that their
12 comments were not restricted to the house proper,
13 but their comments, as we're saying, were
14 inclusive of this as a development that's proper
15 for a historic preservation district.

16 MS. BALON: Ms. McSweeney?

17 MS. MCSWEENEY: I would agree. I
18 interpret it as all-inclusive.

19 MS. BALON: I also.

20 And any further comments? Hearing
21 none, I turn the chair over to --

22 MS. MCSWEENEY: Could I have a point
23 of clarification? Let me just take the worst
24 scenario. If there were like some major lawsuit
25 and this were all overturned, would we have to

1 come back and relook at this? Is that --

2 MR. HAGOPIAN: Well, first of all, we
3 have separation of powers issues, and hopefully
4 that wouldn't be the case. But I guess the point
5 is, regardless of what interpretation is deemed
6 eventually to be correct, for example, the
7 National Trust legal interpretation of the
8 ordinance, or the City Attorney's Office's
9 interpretation of the ordinance, if in fact the
10 majority of the HPC members voting would vote to
11 issue the COA for this project, whether under the
12 narrow standard or the large standard --

13 MS. BARON: We've already voted.
14 This is inappropriate discussion. The vote has
15 been taken.

16 MR. HAGOPIAN: Thank you.

17 MS. NAJERA: Martha, did you want to
18 clarify anything at this point?

19 MS. BROWN: I would only clarify that
20 I think it's time for the Plan Commission to wake
21 up. And also I would note that I think that
22 there is some sustenance in the other room for
23 those of you who have been listening for so long.
24 If anybody needs a cookie or something, I think
25 there are some in there.

1 MS. NAJERA: Thank you. At this
2 point I'd like to thank the City staff for taking
3 the time and effort to think about joining both
4 these commissions, because I think it is very
5 helpful to hear this type of dialogue, the
6 discussion, not only the testimony from the
7 public but also of the commissioners. It's not
8 an easy job that we're embarking on.

9 So now we will take discussion and
10 action by the CPC regarding zoning. And I would
11 ask the Commissioners, would you like to
12 entertain a motion, and then there will be a
13 discussion.

14 MS. GOULD: Let me just quick make a
15 comment first, and then I'll make a motion. I
16 would like to commend all the people who worked
17 on this proposal. I think it's an unusually
18 creative solution to a preservation dilemma
19 that's going to come up over and over again. It
20 offers a way to do some new development that I
21 think for the most part is very sensitive, and
22 subsidize the preservation of a building that
23 otherwise probably would not be affordable.

24 I think that the design of the tower
25 is very elegant and shapely and for the most part

1 works very well. And it's a way of sort of
2 layering the past and present along a street
3 that's been changing really for more than a
4 hundred years.

5 Cities all around the world afford us
6 the opportunity to see this wonderful melding of
7 past and present. I'm sure Chicago is the
8 nearest big city example. London, Paris, Berlin,
9 all allow you to walk down the street and see a
10 21st Century building next to a 19th Century
11 building, or in the case of the European cities
12 maybe a 15th or 16th or 17th Century building.

13 This is not usual. It's more unusual
14 in Milwaukee, but I think we're starting to see
15 the evolution of what we define as preservation,
16 to include preservation of buildings that are
17 living, breathing organisms. They are not
18 hothouse flowers.

19 My one concern about this design,
20 which I think overall is very handsome, is the
21 handling of the garage. I don't share all of
22 Commissioner McSweeney's concerns about it, but I
23 share some of them. I think the garage part is a
24 little awkward because it makes the tower sort of
25 sit on top of this platform that doesn't look

1 well integrated into either the old building or
2 the new building. And I think that there are
3 ways of integrating it better, even treating the
4 garage as part of the tower itself so you don't
5 see this box behind it.

6 I'm concerned also that in the winter
7 months when the plantings have died back, we're
8 going to see a blank wall from the street. And
9 part of our zoning code really is designed to
10 encourage that the street facades are friendly to
11 pedestrians. And I think this is the one jarring
12 note in this design that you really are going to
13 see -- for much of the year you are going to see
14 a blank wall, even though the architect has
15 attempted to articulate it with some windows.
16 But I think that's something that could be
17 tweaked and integrated better into the building.

18 And to cut to the chase here, I would
19 make a motion that we approve this project, the
20 DPD, on two conditions. One, that the architects
21 work with the Planning Department staff in
22 tweaking the design of the garage to make it
23 better integrated into the tower itself.

24 And the second condition would be,
25 just to emphasize something that some of the

1 Preservation commissioners were concerned about,
2 that any changes in the design that affect the
3 Goll Mansion should go back to the Preservation
4 Commission.

5 MS. DAWSON: I will second that
6 motion.

7 MS. NAJERA: There has been a motion
8 and second. All those in favor say aye. Any
9 opposed, any abstentions? The motion passes.

10 I would just like to thank everybody
11 for coming and to say that I know that this was a
12 very emotionally charged issue, but I really
13 believe that the client, the applicant has really
14 taken great strides to make sure that the new
15 development is -- in combination with the
16 historic mansion, that it will be a great quality
17 project for the City of Milwaukee. So thank you.

18 Is there a motion to adjourn?

19 MS. DAWSON: So moved.

20 MS. GOULD: Second.

21 MS. NAJERA: All those in favor say
22 aye.

23 MS. BROWN: Could the HPC also do a
24 motion to adjourn?

25 MS. BARON: Is there a motion to

1 adjourn?

2 MR. BAUMAN: So moved.

3 MR. JAROSZ: Second.

4 MS. BALON: All in favor say aye.

5 MS. BROWN: Thank you all.

6 (The proceeding concluded at 5:50
7 p.m.)

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1 STATE OF WISCONSIN)
2) SS
3 COUNTY OF MILWAUKEE)
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5 I, PHYLLIS M. KAPARIS, do hereby certify that I
6 reported the foregoing proceedings at the time and place
7 specified in the title page of said transcript and that
8 the foregoing is a full, true and correct transcription
9 of my stenographic notes thereof.

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PHYLLIS M. KAPARIS
Court Reporter

