



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

ALD. JAMES WITKOWIAK, CHAIR

Ald. Willie Wade, Vice-Chair

Ald. Michael Murphy, Ald. Robert Bauman, and Ald. T. Anthony Zielinski

Staff Assistant, Tobie Black, (414)-286-2231

Fax: (414) 286-3456, E-mail: tblack@milwaukee.gov

Tuesday, April 27, 2010

9:00 AM

Room 301-B, City Hall

1. [091436](#) Resolution designating the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, as an Historic Building, in the 6th Aldermanic District.

 Sponsors: THE CHAIR

 Attachments: [Study Report](#)
 [Fiscal Note](#)
 [Hearing Notice List](#)

2. [091666](#) Resolution facilitating the Villard Square housing and City library development by Villard Square, LLC at 35th and Villard by approving the blight designation of property for financing and acquisition by the Redevelopment Authority, authorizing a cooperation agreement with the Redevelopment Authority for library funding and authorizing a lease with the Redevelopment Authority for the library portion of the property, in the 1st Aldermanic District.

 Sponsors: Ald. Hamilton

 Attachments: [Hearing Notice List](#)

3. [091155](#) Resolution approving a final Certified Survey Map for property located at 916 South Cesar E. Chavez Drive and at 1540, 1542, 1546 and 1550 West Mineral Street for expansion of a parking lot for an existing business and dedication of land for public purposes, in the 12th Aldermanic District.

 Sponsors: THE CHAIR

 Attachments: [Fiscal Note](#)
 [Hearing Notice List](#)

4. [091460](#) Resolution approving a final Certified Survey Map for property located at 1807 East Morgan Avenue for creation of a new residential lot and dedication of land for public purposes, in the 14th Aldermanic District.

 Sponsors: THE CHAIR

 Attachments: [Fiscal Note](#)
 [Hearing Notice List](#)

5. [091461](#) A substitute ordinance relating to the change in zoning from Detailed Planned Development to Two-Family Residential on land located South of East Pleasant Street and East of North Jackson Street, for two-family residential development on two lots, in the 3rd Aldermanic District.
- Sponsors: THE CHAIR
- Attachments: [Proposed Zoning Change Map.jpg](#)
 [City Plan Commission Letter.doc](#)
 [Affidavit for Zoning Change.pdf](#)
 [Hearing Notice List](#)
6. [091372](#) Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.
- Sponsors: Ald. Bauman and Ald. Bohl
- Attachments: [Fiscal Note](#)
 [Hearing Notice List](#)

This meeting will be webcast live at www.milwaukee.gov/channel25.

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 091436 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/2/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution designating the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, as an Historic Building, in the 6th Aldermanic District.

Sponsors: THE CHAIR

Indexes: HISTORIC PRESERVATION, HISTORIC STRUCTURE

Attachments: Study Report, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

091436

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution designating the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, as an Historic Building, in the 6th Aldermanic District.

Analysis

This resolution designates the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue.

Body

Whereas, The Milwaukee Historic Preservation Ordinance, Section 308-81 of the Milwaukee Code of Ordinances, as amended, provides that Historic Sites, Structures and Districts may be designated by the Common Council of the City of Milwaukee upon the recommendation of the Historic Preservation Commission; and

Whereas, The Historic Preservation Commission recommends that the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue be designated as an Historic Building; and

Whereas, This Site possesses integrity of location, design, setting, materials, workmanship and association and fulfills the following criterion set forth in Section 308-81(2)(e):

e-1. Its exemplification of the development of the cultural, economic, social or historic heritage of the city of Milwaukee, state of Wisconsin or of the United States.

e-3. Its identification with a person or persons who significantly contributed to the culture and development of the city of Milwaukee.

e-9. Its unique location as a singular physical characteristic, which represents an established and familiar visual feature of a neighborhood, community or of the city of Milwaukee.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, and further described as follows:

Original Plat of the Town of Milwaukee, west of the river in Secs (20 & 29)-7-22 Block 39 Lot 16 & Part Lot 13 Com SW Cor Lot 13-th N 10'-th-E 60.2'-th S 7.2'-E 15.43'-th S 1.74-th W 74.96' to Beg Subj to X-Way Easmt BIDs No. 15, No. 21, TID No. 48

Note: This nomination includes only the building that was constructed by Nicholas Senn and not the other adjacent buildings to the west that today are all included under one tax key. The boundary lines reflect the building's historic lot lines and run concurrent with all four sides of the building.

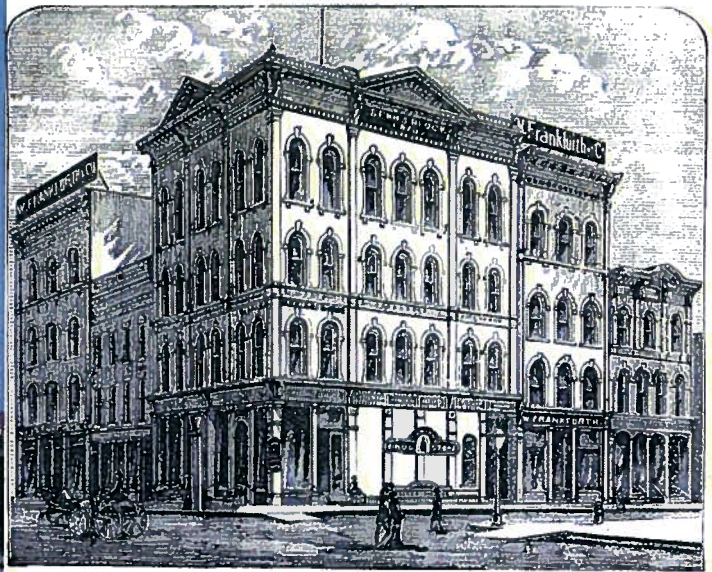
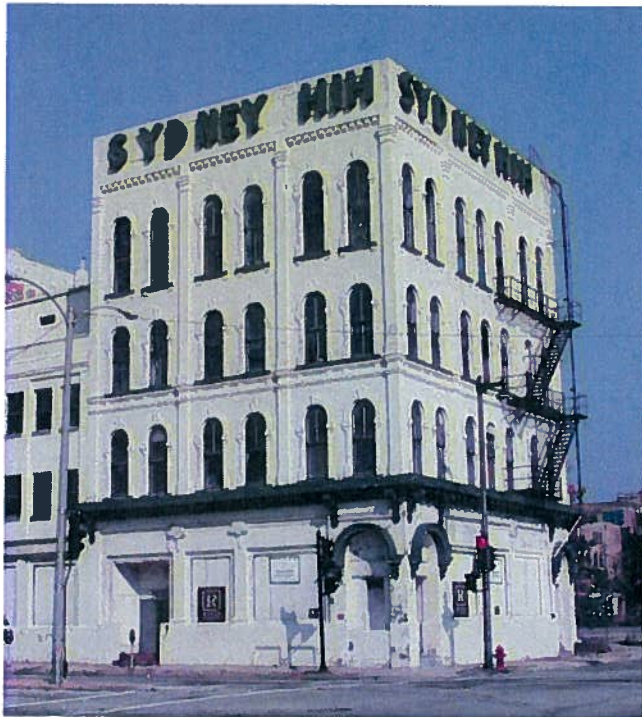
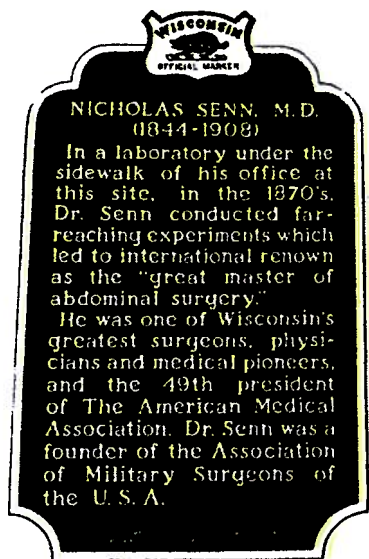
be designated as a Milwaukee Historic Building. The Preservation Guidelines pursuant to the Historic Designation Study Report, a copy of which is attached to this Common Council File, shall apply to this Site and are adopted by the Common Council as part of this File.

Drafter

CC-CC

ch

2/22/10



Nicholas Senn Building

"Sydney Hih"

300-318 W. Juneau Ave.

Permanent Historic Designation

Study Report

September 2009

PERMANENT HISTORIC DESIGNATION STUDY REPORT

I. NAME

Historic: Nicholas Senn Building/Senn Block

Common Name: Sydney Hih

II. LOCATION

300-318 W. Juneau Avenue

Legal Description - Tax Key No.: 361-040-9100

Original Plat of the Town of Milwaukee, west of the river in SECS (20 & 29)-7-22

Block 39 Lot 16 & Part Lot 13 Com SW Cor Lot 13-th N 10'-th-E 60.2'-th S 7.2'-th E15.43'-th S 1.74—th W 74.96' to Beg

Subj to X-WayEasm't

Bids #15, #21, TID #48

NOTE: THIS NOMINATION INCLUDES ONLY THE BUILDING THAT WAS CONSTRUCTED BY NICHOLAS SENN AND NOT THE OTHER ADJACENT BUILDINGS TO THE WEST. THE BOUNDARY LINES REFLECT THE BUILDING'S HISTORIC LOT LINES AND RUN CONCURRENT WITH ALL FOUR SIDES OF THE BUILDING.

III. CLASSIFICATION

Building

IV. OWNERS

Sydney Hih Development LLC
270 E. Highland Avenue
Robert Ruvin, Registered Agent
Milwaukee, WI 53202

Robert Ruvin
Registered Agent
Sydney Hih Development LLC
1317 Towne Square Road
Mequon, WI 53092

ALDERMAN

Ald. Milele Coggs, 6th Aldermanic District

NOMINATOR

Gail Fitch

V. YEAR BUILT

1876 (Milwaukee Sentinel March 13, 1876, April 5 1876, May 1, 1876, July 27, 1876)

ARCHITECT:

Unknown

NOTE PORTIONS OF THIS REPORT HAVE BEEN TAKEN FROM THE DETERMINATION OF ELIGIBILITY FORM PREPARED IN 2000 AS PART OF THE UNDERTAKING THAT RESULTED IN THE REMOVAL OF THE PARK EAST FREEWAY. THE REPORT WAS PREPARED BY TRACI SCHNELL OF HERITAGE RESEARCH LTD. AS A SUBCONTRACTOR TO HNTB CORP.

VI. PHYSICAL DESCRIPTION

The Nicholas Senn Building is a four story, flat roofed, solid masonry cream brick building located at the northwest corner of W. Juneau Ave. and King Dr. The building is approximately forty-five feet wide (Juneau Ave.) by fifty feet deep (King Dr.) and today is joined under one tax key parcel in a complex formerly known as Sydney Hih. The Senn Building and the adjacent three buildings to the west were all built independently of one another. They are the sole survivors of this block following the construction of the Park East Freeway in the late 1960s. The freeway isolated this portion of the city from adjacent commercial areas to the south (Old World Third Street) and the warehouse/industrial/brewery district to the north. The immediate neighborhood is characterized by surface lots at the northeast, southeast, and southwest corners of the intersection and vacant land in the corridor of the old freeway, which was demolished in the early twenty-first century. Most of Juneau Avenue was razed, even the south side of the street, before the freeway was constructed. Spared were the Sydney Hih complex, the Gipfel Brewery, and a few businesses around Fifth Street. With the removal of the Park East Freeway, there are approximately sixteen acres of open land awaiting development.

The Senn Building was designed in the Italianate Style, popular at the time for commercial as well as residential buildings. It has two principal elevations, one fronting on Juneau Ave. (formerly Chestnut) and one on King Dr. (formerly Third). The north and west walls abutted adjacent buildings and are mostly blank. Ornamental features included corbelled brickwork and sheet metal cornices. The first story consists of a storefront while the upper stories feature arched windows, which are a character-defining feature of the Italianate style.

The upper stories are arranged into three bays on each elevation by vertical pilasters at the corners and between groupings of windows. Windows are grouped into pairs except for the center bay on the King Dr. elevation, which features three windows, attributable to the longer length of that façade. Typical of the 1860s and 1870s, windows are enframed with corbelled brick rather than sheet metal. Stone keystones and impost blocks add decorative touches. The windows themselves vary from two-over-sash to two-over-one, one-over-two and one-over-one. The windows of the third story are noticeably taller than on the other floors and indicate a hall was located at this portion of the building. A brick, paneled cornice separates the second from the third story and is topped with a stone stringcourse that forms the sills of the third story windows. The fourth story windows features stone sills supported by small corbels. Above the fourth story windows survives a corbelled band that once supported a sheet metal cornice. A historic image produced in 1877 shows that the broad cornice had a pediment positioned in the center bay of each elevation. The name "Senn's Block" and "1876" appeared directly below the pediment on the King Dr. elevation in the illustration. It is not known if this was artistic license or factual. In place of this original cornice is located block letters spelling out Sydney Hih on both primary elevations. A metal fire escape is located at the north end of the east elevation.

The storefront on the first floor represents a remodeling undertaken by West Side Bank in 1910 and it was designed by the firm of Leenhouts and Guthrie. City directories, Milwaukee Sentinel articles, fire insurance maps and the 1877 illustration show that the first floor had been divided

into two retail spaces each having a center door on Juneau Ave. flanked by large plate glass windows. There appear to be window wells illuminating the basement area. A smaller entrance into the first floor area was located right around the corner from the east most storefront on today's King Dr. Another entrance, accessing the upper floors, was located at the north end of the King Dr. elevation. We do know from permit records that changes were made to the storefront in 1893 and that an entrance was put at the corner right about the time that West Side Bank was organized. More significant changes were made in 1910 when the stone piers were installed, the bulkhead raised and smaller plate glass windows installed. The entire first floor now read as one unified storefront, important since it was occupied by one entity, West Side Bank. It is likely that the copper cornice above the storefront was installed at this time since the more Classical Revival details, modillions, corbels with swags, are not characteristic of the Italianate Style. Such alterations would have been in keeping with the trend toward classicism that banks nationwide were beginning to follow at the time. The raising of the bulkhead also gave a more substantial, secure appearance to the financial institution. The bank's entry was at the corner and called out by two stone arches supported by scrolled corbels. A similar arch called out the entrance to the upper floors at the north end of the King Dr. elevation. The remaining storefront consists of a series of stone piers with decorative tops in between which are located panes of glass (now boarded up). The westernmost storefront bay on Juneau Ave. was cut down to provide an at-grade entrance to the building. After West Side Bank acquired the building next door, once addressed at 306-308 W. Juneau Ave., it extended a matching storefront treatment to that building as well. There were once four or more basement windows, visible in pre-1950s photos, but they have now been blocked up or removed.

The north elevation, as indicated above features a blank wall and once abutted the east wing of the William Frankfurth Hardware Company Building.

The west elevation is mostly blank. It abuts a smaller three-story building to the west. A metal enclosed catwalk on the roof of this latter building extends from the Senn Building to the four-story south facing portion of the Frankfurth Hardware Company Building. Since the building to the west is not as deep as the Senn Building, a portion of the Senn Building extends beyond the rear wall. Here are located two unembellished arched windows, one at the second and one at the third floor. The second story window has a two-paned upper sash while the lower sash has been broken out. It retains its original brick mould. The upper opening has been fitted with a flat-headed window and the brick mould removed. The upper sash is single-paned and the lower sash has been broken out.

Changes to the building have been chronicled above. Virtually all the alterations were made by West Side Bank. The storefront was changed in 1893 and again in 1910. The sheet metal cornice survived into the 1950s and was removed and replaced with bank signage as shown in a 1955 photo in the collection of Milwaukee Central Library. Window sash were replaced as needed although the window openings were retained. Original windows were most likely two-over-two. The windows shown in the 1877 illustration are one-over-one sash while the extant windows show some two-over-two sash. These latter would have been more typical of the time period with later replacements featuring larger panes of glass.

The Senn Building, although undergoing some modifications over its 132-year existence, still exhibits the character defining features of the Italianate Style and is restorable. It can still be identified with the work of the internationally renowned Dr. Senn.

VII. SIGNIFICANCE

The Senn Building is significant as the only remaining building in Milwaukee associated with the life and work of Dr. Nicholas Senn. Dr. Senn attained worldwide recognition while working in Milwaukee due to his pioneering efforts in abdominal surgery, research on asepsis and antiseptic

procedures, and his teaching and wide range of medical publications. He brought recognition to Milwaukee and Milwaukee Hospital as a result of his efforts and influenced an entire generation of surgeons who went on to further enhance the reputation of the city. Dr. Senn had this building constructed to accommodate his broad private medical practice and to serve as a place where students and medical professionals would gather to learn from one another. In the basement of the building he experimented with medical procedures that he would later carry out on patients. We have no other tangible place to associate with him. The building in which he performed surgery at Milwaukee Hospital (later Sinai Samaritan, no longer a medical campus) is long gone. Dr. Senn's residences have also been demolished. Well into the 20th century, the Senn Building has been recognized for its associations with Dr. Senn. On May 4, 1960, a Wisconsin Historical Society marker was installed on the building, the result of efforts by the State Medical Society of Wisconsin. Likewise, while virtually all other buildings were removed along Juneau Ave. for freeway construction, the Senn Building and three adjacent neighbors, along with the Gipfel Brewery were spared. In February 2000, when the building was vacant and for sale, the Sydney Hih complex, as it became known, was named among the "10 Most Endangered Buildings 2000" by the Historic Preservation Institute at the University of Wisconsin-Milwaukee's School of Architecture and Urban Planning.

The Senn Building is also a valuable survivor from the period when Juneau Avenue was once a vibrant commercial thoroughfare, crowned by the view of the giant Pabst Brewery to the west. With the exception of a couple of blocks along Old World Third Street and the Senn Building grouping, little remains of the nineteenth century character of Kilbourn town. Twentieth century buildings and large-scale redevelopment projects like the Bradley Center and vacant renewal sites now dominate the area.

The Senn Building likewise represents the kind of nineteenth century building, which has mostly disappeared from Milwaukee's landscape. Large masonry buildings with multiple tenants were fairly common but there was a new type that came into prominence in the 1870s, the commercial block with upper story hall. This building type reflects the explosion in the number of social and fraternal groups that occurred after the Civil War, groups that needed spacious accommodations for their meetings, social events, educational programs and the like. A few examples survive like Stamm's Hall at 221-227 S. 2nd Street (c.1865), J.L. Burnham Building Hall at 907-911 W. National Avenue (1875), Lipps Hall in the Lipps' Building at 1103 N. Old World Third Street (1878) and the Schlitz Building and Hall at 2249 N. Humboldt Avenue at North Avenue (1890). City directory research indicates that there were numerous halls of this type located in the downtown and in every major commercial district. With the decline in the numbers of such groups, disinvestment in the city and urban renewal and freeway projects, most such buildings have been demolished. At Senn's Hall, veterans of the famous Civil War Wisconsin Iron Brigade voted to create a permanent veterans' organization in 1880.

In addition to the above factors, the Senn Building acquired social significance in the late 20th century as one of the centers of Milwaukee's counter culture. The unique signage on the building and the host of unusual merchants, musicians, and restaurateurs brought a rebirth of activity to the northwest corner of Juneau and Old World third Street. Virtually every baby boomer that lived in the city has some fond memory of Sydney Hih.

VIII. HISTORY

Of the grouping of four 19th century buildings that stand at the northwest corner of Juneau Avenue and King Drive known as Sydney Hih, the easternmost building, the Nicholas Senn Block, stands out for the importance of its association with Dr. Nicholas Senn. Senn was one of those rare, larger than life individuals who through genius and determination, made an enormous impact on the international medical field through his research, teaching and publications. An indefatigable person, he experimented, performed surgery, and taught students by day and wrote prolifically through the

night. He is credited with at least twenty-five textbooks and over three hundred articles on medical topics. He was much in demand for consultation, lectures and his administrative abilities and served on the teaching, surgical and consultation staff of a number of hospitals as well the military.

Nicholas Senn was born on October 31, 1844 (some sources cite October 24, 1844) at Buchs, in the Canton of St. Gall, Switzerland and came to the United States with his parents John and Magdalena Senn in 1851 at the age of eight. The family settled in Fond du Lac County/Washington County (sources differ), Wisconsin in the community of Ashford. Senn attended Fond du Lac High School and then taught school before beginning study in 1864 with Dr. Emanuel Munk who was residing in Fond du Lac at the time. Dr. Munk mostly lived in the city of Milwaukee. Senn went on to the Chicago Medical College in 1865, studied medicine and surgery, and graduated in 1868. He served an eighteen-month internship at the Cook County Hospital and in 1869 married Aurelia S. Muehlhaeuser (also spelled Millhauser), who had been born in Blairsville, Indiana County, Pennsylvania but was living in La Crosse, Wisconsin. Shortly after their marriage, the couple returned to Fond du Lac County and located in the community of Ashford. A son, Emanuel J., was born in Elmore, Wisconsin on November 18, 1869. The two communities of Ashford and Elmore are in close proximity to one another. Senn relocated to Milwaukee in 1874 and was appointed chief medical director of Milwaukee Hospital (later known as Sinai Samaritan, the campus is no longer a medical complex), a position he held through 1891. He is said to have built up "in a short time the largest private practice in the city." It was during his tenure in Milwaukee that Senn pioneered many of the surgical breakthroughs for which he became famous. (Gregory Vol II 1931 p. 973; Flower p. 1020, Usher p. 2022 and 2023)

Shortly after moving to Milwaukee, Senn's boundless energy led him to purchase the Hustis Block, located at the northwest corner of N. 3rd Street (King Dr. today) and Chestnut Street (W. Juneau Avenue today). The Hustis Block had been the first brick block constructed in Milwaukee, built by John Hustis in 1840 and known for its substantial three-story construction, the location of the printing of the first German newspaper and for its hall in which the first theatrical entertainments were given in the fledgling community. (Buck, *Pioneer History*, p. 245) A *Milwaukee Sentinel* report had previously indicated that the building appeared to be ready for a refurbishment in 1874 and maybe there were some repairs done to the building. (MS 1874 April 8/4) By this era, the Hustis Building, while venerated, was considered out of date. Dr. Senn purchased the building on March 8, 1876, for \$11,000 from Joseph and Margareth Phillips and Mary S. Goodrich (the only child and heir of Susan Robinson, deceased). (Deeds 155:446) On March 13th the *Sentinel* reported that Dr. Senn was about to build a block of stores, 45 feet wide and 50 feet long, at the site of the Hustis Block. (MS 1876 March 13 8/2) By May 1st the Hustis Block was being demolished and by July 27th the new building was nearly completed. It was considered to be an improvement over the old Hustis Block and an asset for Chestnut Street (today's Juneau Avenue). (MS May 1 8/4, July 27 8/3 and November 27 8/3) It was during the construction of the building that Senn's second son, William N. was born on June 1, 1876 and that Senn served as a delegate to the Medical Congress of the United States. (Usher p. 2026; Flower p. 1020)

There were probably several reasons why Senn decided to construct a four-story structure. In the days before the extensive medical complexes we are familiar with today, a physician like Senn would have needed office space for his extensive private practice, for experimentation, and to serve as a gathering place for students and professionals to exchange and gather information. One such meeting was chronicled by the *Milwaukee Sentinel* when the Milwaukee Medical Society met on March 7, 1878 to hear a paper on and discuss astigmatism of the eye. (MS 1878 Mar 8 2/4) Such a space was not available on the grounds of Milwaukee Hospital or on the premises of the other major medical institution of the time, St. Mary's Hospital. The new building would also generate income through leases to other tenants. Senn's building would have been the in the height of fashion at the time. There were two primary elevations, one facing east onto 3rd Street (King Drive) and one facing south on Chestnut Street (Juneau Avenue). The building occupied the east portion of Lot 16 and abutted adjacent buildings to the west and north. The Italianate style building was of solid masonry construction and featured a prominent sheet metal cornice with pediments centered on each elevation. The words "Senn's Block" and the date, "1876", appeared below the east

pediment in an illustration from 1877 and may have actually been on the building and not just part of the rendering. (*Milwaukee Illustrated* p. 85) A prominent cornice also wrapped around the two principal elevations between the first and second stories. The slightly taller windows of the fourth floor indicate that there was a hall on this topmost floor and this is corroborated with information from news accounts and the city directories.

Early occupants of the building, besides Dr. Senn, included physicians like Dr. John P. Bading, dentists like William A. Fricke and Edward H. Wanko, lawyers as Stephen W. Granger and Scharffenberg Bolle, and photographers Adam Heeb, Jr. and Henry Hercher. There was said to be a barbershop in the basement as well as Dr. Senn's laboratory. It was here that he conducted experiments to perfect his techniques before operating on his patients. There were two ground floor retail storefronts. The west storefront, originally addressed at 304 Chestnut, was occupied Frank Ostermann's dry goods shop. When he died in 1886, his widow took over the business briefly and then turned it over to John W. Dunlap in 1887. The east storefront, addressed at 302 Chestnut, was occupied by Otto Schorse's Union Drug Store. On June 27, 1879, an explosion rocked Schorse's pharmacy, causing damage to the building. Schorse had "prepared quantities of composition for red, blue and yellow lights to be used during evening celebrations of the Saengerfest" and there was spontaneous combustion of the compounds. The large French plate glass storefront windows, four feet wide and six feet high and three-eighths thick, were shattered. Flames and smoke spread to Ostermann's dry goods shop and combustibles were burned in the basement. The fire department quickly put out the fire before any damage extended beyond the first floor. Schorse's stock of chemicals, medicines and drugs, valued at \$8,000, was destroyed but Schorse escaped unharmed. Dr. Senn was in his office immediately above the pharmacy and felt the concussion but likewise was unharmed. Schorse resumed his occupancy of the storefront once the building was repaired.

Not a lot of detail is known about the rental hall operations but it would have been typical for different fraternal and social organizations to use such halls for meetings, social events, educational programs and the like. We do know that singing societies were meeting in Senn's Hall. Among them were the Gesang Verein Milwaukee and the Schweitzer Maennerchor. An historic event took place here as well in 1880, related to the forming of a Civil War veterans' organization. In a meeting held on June 10, 1880, during a reunion of members of Wisconsin's famous Iron Brigade, it was decided to form a permanent organization of the Iron Brigade veterans. A dues structure was discussed and members pledged to take "measures which will perpetuate the social and fraternal feelings arising from service together through many campaigns." (*Milwaukee City Directory*; Dix p. 4; MS 1897 June 28 3/1; MS 1880 June 11 7/4)

Dr. Senn was not only a talented surgeon but also an inspiring and brilliant teacher and "[s]tudents flocked to him." Historian Gregory subsequently lists a number of physicians who were taught and inspired by Senn including John Bading, Blanchard A. Lynde, Anna M. Connell, and Dr. Harriet Francis Sercombe among a host of others. Senn was known for extensive experimental work. Among the physicians associated with him in breaking new medical ground were Dr. Horace Manchester Brown, Dr. Gilbert E. Seaman and Dr. William Mackie. His office on today's Juneau Avenue was used as an informal classroom where all who were interested in medicine attended quizzes. (Gregory, Vol II 1931 p. 974)

During Senn's career in Milwaukee and afterwards, he was considered one of the most distinguished surgeons of the world. He continued his own education at the University of Munich, Germany, in 1878 and graduated in 1879. In 1887, his work on the repair of intestinal perforation, begun as an attempt to heal a gunshot wound, became known worldwide. An indefatigable worker, Senn wrote at least twenty-five medical textbooks and contributed to hundreds of papers. Among his writings are:

- Experimental surgery
- Intestinal Surgery
- Surgical Bacteriology
- Principles of Surgery

Pathology and Surgical treatment of Tumors
Abdominal Surgery on the Battlefield
The Surgery of the Pancreas
The Surgical Treatment of Intestinal Obstruction
(Usher p. 2025, Sinai Samaritan Medical Center Manuscript Collection index)

In addition, after investigating the failure of carbolic spray to prevent sepsis, Dr. Senn determined that bacteria was coming from the hands of the surgeons and infecting the patients. "Dr. Senn probably was one of the first surgeons to use gloves (cotton gloves, boiled) in operating." (Dix p. 5)

Senn's services were in demand outside of Wisconsin while he maintained his Chief of Staff position at Milwaukee Hospital. From 1884 through 1887 he served as professor of surgery at Chicago's College of Physicians and Surgeons, now the medical school of the University of Illinois. He was elected professor of practical and clinical surgery of Rush Medical College in 1890, a post he held until his death. He also served as the professor of surgery at the University of Chicago, was the attending physician at the Presbyterian Hospital and worked as surgeon in chief at St. Joseph's Hospital. (Usher p. 2023)

Senn's contribution to military surgery was also legendary throughout the world and he sought to make antiseptic and aseptic surgery simpler on the battlefield than they were in civil practice. He was appointed surgeon General of Wisconsin in 1888, and Surgeon General of the Illinois National Guard in 1892. In 1891 he established the Association of Military Surgeons of the National Guard of the United States. In 1898 he was appointed chief surgeon of the Sixth Army Corps and became chief of operating staff surgeons with the American army during the Spanish American War. He actually served in Santiago, Cuba. (Usher p. 2024-2025)

Among his other affiliations were the American Surgical Association (president), the German Congress of Surgeons, corresponding member of the Harveian Society of London, and honorary member of the Edinburgh Medical Society. He was president of the Rock River Medical Society and vice-president of the State Medical Society. In 1890 he was chosen an American delegate to the International Medical Congress and in 1901 went abroad as delegate to the international Red Cross conference. In 1897 he served as the 49th President of the American Medical Association. Senn was also responsible for donating over seven thousand volumes of medical texts, collected by noted physicians Dr. William Baum and Dr. DuBois Raymond, to the Newberry Library of Chicago in 1894. (Usher p. 2024; Flower p.1020)

For a number of years, Senn commuted between his practices in Milwaukee and Chicago. He permanently relocated to Chicago in 1891 following his appointment at Rush Medical College and sold the Senn Building to George Koch on June 29, 1891 for \$40,000. (Deeds 279:612) Senn died in Chicago on January 2, 1908 of heart disease following a condition contracted from mountain climbing in South America. (He also wrote a number of travel texts) The head of Marquette University's medical department, Dr. W. H. Earles, stated upon Senn's death "Dr. Senn was to my mind, one of the ablest surgeons in the United States, if not in the world...He was an able surgeon, an able teacher, and an able writer. Many medical men are one of these three, but it is seldom indeed that one finds a man who is an [sic] adept in each of the three lines." Dr. A. H. Levings, president of the College of Physicians and Surgeons, stated, "Dr. Senn was the greatest surgeon in the country...He seemed to be possessed of unlimited endurance and his capacity for work was wonderful." ("Dr. Nicholas Senn Dies in Chicago" Milwaukee Sentinel January 3, 1908)

"A variety of books addressing the history of medicine note Dr. Senn's contribution to surgery. *A Cyclopedia of American Medical Biography* (1912), states that Senn is considered "the greatest surgeon, medical authority and writer the West had ever produced" and his innovative work in abdominal surgery won him international acclaim." Sixty-five years after his death Senn's work remained in the history books as

The Story of Medicine in America (1973) reads, "N. Senn laid the groundwork, in a way, for a sub-specialty by his work in intestinal surgery." Posthumous tributes to the doctor include the Chicago-based, Nicholas Senn Club (organized in 1908), the 1952 Senn Wing at the Milwaukee Hospital (now Sinai Samaritan Health Care Center: wing dedicated in 1952) [note: this campus was sold off to developers and no longer serves as a health care facility] and the Senn Journal (a publication of the Milwaukee Hospital from 1960-1976)." (Traci Schnell, Heritage Research Determination of Eligibility, pp. 7-8)

Senn's legacy was still being honored well into the 20th century. In 1958 efforts began in the State Medical Society of Wisconsin to erect a historic marker memorializing the great doctor. The site chosen was the Senn Building at the northwest corner of Juneau Avenue and King Drive, a place most fitting. The building in which Dr. Senn worked at Milwaukee Hospital was no longer extant. His residences were gone. A Wisconsin state historic plaque was installed on the building on May 4, 1960. It was stolen in 1968 and never recovered. (Dix p. 6)

George Koch (1863-March 7, 1922), who purchased the Senn Building in 1891, was a Milwaukee native who was employed in a variety of occupations before entering banking. He worked for Frankfurth Hardware, for Manufacturers Bank, and as a grain, feed and commission merchant. Koch returned to banking when a branch of the Merchants & Exchange Bank was established in the Senn Block. It was formally reorganized as a state bank under the name West Side Bank in July 1894 when its parent institution merged with the First National Bank. Koch held the most stock in the bank and served as the institution's cashier through the remainder of his career. It was considered one of the strongest and soundest financial institutions in the city by 1920. The title to the Senn Building apparently remained in Koch's name and then his estate after his death. West Side Bank acquired the property from Koch's estate on February 23, 1937. (Bruce, p. 360; 707; Fifth Semi-Annual Report of the Bank Examiner p.76; Deeds 279:612; 1462:490)

There were a number of alterations to building following its occupancy by the bank. On March 23, 1893, the storefront was changed and the entrance was moved to the corner. It is likely the dual storefronts from Senn's day were consolidated into one unified front at this time. West Side Bank made the most significant change to the building's exterior in 1910. They contracted with the firm of Leenhouts and Guthrie who added a large copper cornice that wrapped the building above the first story. The bulkhead was raised and clad in stone and stone piers were installed with large plate glass windows inserted between the piers. It is likely the corner entrance was embellished with arches at this time as well. Sign bands reading "West Side Bank" were installed beneath the modillions of the new copper cornice on both the Juneau Avenue and King Drive elevations. Two smaller signs reading "Established 1893" were positioned over the double-arched corner entrance. Permit records do not indicate when the sheet metal cornice was removed, but historic photos in the collection of the Milwaukee Central library show that it had been removed by the 1955 and replaced with large flat signboards that read "West Side Bank". The building was not painted at this time.

The bank began to acquire property to the west during the 20th century. Its immediate neighbor to the west, once addressed as 306-308 W. Juneau Avenue, underwent remodeling by the bank in 1956 that removed its attractive two-story sheet metal bays and reduced the façade to the bland appearance it has today. City directories began to list number 308 as the rear entrance to the bank around 1955. (Milwaukee Central Library photo collection Juneau Avenue; permit records January 4, 1956) It is not clear how much of the upper floors were utilized by West Side Bank. The second floor was remodeled in 1918, partitions were changed on the first and second floor in 1953, and other permits refer to cutting in openings in masonry walls for access to adjacent buildings. When the bank first occupied the building, there were still some professional tenants on the upper floors such as Dr. Louis G. Nolte who was in the building from at least 1900 to the early 1940s. Access to the upper floors was through an entrance on King Dr. addressed at Number 365. Beginning in the 1920s, in addition to Dr. Nolte, there was a janitor, then his widow, living on the premises. The Milwaukee County American Legion Drum Corps also occupied one of the upper levels, perhaps the former hall, as shown in the 1940 city directory. After World War II, the upper floors were

consistently shown as vacant in the city directories. West Side Bank changed its name to Continental Bank & Trust on September 7, 1967 and relocated to a new twelve-story structure at 735 W. Wisconsin Avenue in 1968. It is now known as Wells Fargo Bank. This relocation was occurring at the time that most of Juneau Avenue was cleared for the construction of the Park East Freeway.

Permit records show that an application to install a "For Sale" sign on the building was taken out on February 9, 1970. The former Senn Block sat vacant for several years before being sold to the Knapp Street Realty Corp., Sydney Eisenberg, president, on land contract on June 15, 1971 and then through warranty deed July 23, 1971. The property conveyed the Senn Building as well as the adjacent property once addressed at 306-308 W. Juneau Avenue. (Deeds R592: 235, R600: 1451, and R600: 1453) The old Frankfurth Hardware Building, once addressed at 310 W. Juneau Avenue was conveyed by Continental Bank & Trust to Knapp Street Realty Corp. at the same time. (Deeds R592: 235, R600: 1451 and R600: 1453). Knapp Street Realty Corp. also purchased the building once addressed at 312-316 W. Juneau Avenue from the Peckarsky family in 1971. Eisenberg renamed the complex Sydney Hih (Hih is Yiddish for "In Honor Of").

The Senn Building now entered into a period of rebirth, although it was somewhat short lived. Its exterior, as well as the exterior of the other three buildings, was painted into a multi-colored checkerboard palette to highlight the unique mix of tenants that Eisenberg collected into the complex. Many Baby Boomers have recollections of the place, as it became the hub of counter-culture activity along with Brady Street. Here the tenants were concentrated vertically on different floors rather than along a street. This may have been the first time that an attempt was made to collect artists and creative types into one setting for commercial purposes. Tenants in 1973 included The Industrial Arts Co., a group of commercial artists in Number 312. In the Senn Building were the Delhi Emporium Gift Shop, Dreams and Dragons art gallery, Fermentation Plantation (home winemaking consultants), Main Stream Records, The Mouse Trap gift shop, The Playhouse gifts, Puerto Rican Valley, and Western Tradition Leather retail shop. The Mine Shaft, a restaurant and bar, was located in the basement. Merkt's Cheese occupied Number 310, the Shish Kabob Restaurant occupied Number 312, a rooming house was located at Number 314, and the Fertile Dirt Cooperative Health Food restaurant was located in Number 316. Betty's Bead Bank was the longest tenant, occupying a first floor space from 1976 through 1999. Permit records reflect dozens of occupancy permits for the building from 1971 through 2001 and included candle shops, jewelry stores, plant stores, and ice cream vendors, among others.

By 1980 many of the trendy shops had disappeared and permit records refer to fire damage on the property. The tenants included a business that did typesetting and one that provided legal briefs. Many of the upper floors were utilized as art and music studios with band names like Johnny and the Lewers and the Water Buffaloes Band. In the year 2000 the complex was put up for sale and the buildings painted uniform beige. The Park East Freeway was taken down in recent years and the vacant land around Sydney Hih/Senn Building awaits redevelopment. The current owner, Robert Ruvin, Sydney Hih Development LLC, purchased the complex on June 17, 2005. The developer's original proposal called for preserving the Senn Block and most of the rest of the complex, removing the building at 312-316 and sliding the Gipfel Brewery Building onto that slot. The Senn Building would have served as the entrance to a new office/ hotel/condo development designed by the team of Brian Johnsen and Sebastian Schmaling. In April 2008, a new development proposal was announced, with a new architectural team, HKS. This new proposal would remove all remnants of Sydney Hih and utilize some salvaged bricks for a pathway. (Schumacher, "History Lost")

SOURCES

Announcement. "The opening of the New Dr. Nicholas Senn Memorial Wing, Milwaukee Hospital." 10 February 1952. In the "Sinai Samaritan Medical Center" Manuscript Collection (1863-1993). Located at the Milwaukee Urban Archives, University of Wisconsin-Milwaukee, Milwaukee, WI.

Biographies of Physicians and Surgeons. Chicago: J.H. Beers and Co., 1904.

Bruce, William George. History of Milwaukee City and County. Milwaukee: S. J. Clarke Publishing Company, 1922.

Buck, James. Pioneer History of Milwaukee. Milwaukee: Swain and Tate, 1890

Dix, Christopher R. M.D. "The Senn Journal." Senn Journal. June, 1970.
Fifth Semi-Annual Report of the Bank Examiner of the Condition of the State and Federal Banks of Wisconsin. Submitted to the Governor December 13, 1897. Madison, Wisconsin: Democrat Printing Company, 1897.

"Dr. Nicholas Senn Dies in Chicago." Milwaukee Sentinel. January 2, 1908.

Flower, Frank A. History of Milwaukee, Wisconsin. Chicago: Western Historical Company, 1915.

Frank, Louis F. The Medical History of Milwaukee, 1834-1914. Milwaukee: Germania Publishing Company, 1915.

Gould, Whitney. "Dilapidated Sydney Hih entices preservationists." Milwaukee Journal Sentinel. February 15, 2000.

Gregory, John G. History of Milwaukee, Wisconsin. 4 vols. Chicago: S.J. Clarke Publishing Co., 1931

Kelly, Howard A. A Cyclopedia of American Medical Biography. 2 vols. Philadelphia: W.B. Saunders Co., 1912.

Marks, Geoffrey and William K. Beatty. The Story of Medicine in America. New York: Charles Scribner's Sons, 1973.

Milwaukee Central Library Historic Photo Collection. Juneau Avenue.

Milwaukee City Building Permits.

Milwaukee County Register of Deeds.

Milwaukee Illustrated: Its Trade, Commerce, Manufacturing Interests and Advantages as a Residence City. Milwaukee: W. W. Coleman, 1877.

Milwaukee Sentinel

Numbers, Ronald L. and Judith Walzer Leavitt. Wisconsin Medicine: Historical Perspectives. Madison: University of Wisconsin Press, 1981.

Rascher's Fire Insurance Atlas of the City of Milwaukee, Wis. Chicago: Western Fire Map Pub. Co. 1876, 1888.

Sanborn Map Company. Sanborn Fire Insurance Map, Milwaukee, WI. New York: Sanborn Map Company, 1894 and 1910, with updates to 1926.

Schnell, Traci. Heritage Research Ltd. Determination of Eligibility Form. Dr. Nicholas Senn Block. November, 2000.

Schumacher, Mary Louise. "History lost in Park East bait-and-switch." Milwaukee Journal Sentinel April 29, 2008.

Thayer, Earl R. Seeking to Serve: A History of the Medical Society of Milwaukee County, 1946-1996. Wauwatosa, WI: Vilar Arts, Inc., 1996.

Usher, Ellis Baker. Wisconsin: Its Story and Biography 1848-1913. Chicago and New York: The Lewis Publishing company, 1914.

IX. STAFF RECOMMENDATION

The commission could consider three criteria in deciding whether to recommend permanent historic designation for the Dr. Nicholas Senn Building, 300-318 W. Juneau Avenue.

e-1 Its exemplification of the development of the cultural, economic, social, or historic heritage of the City of Milwaukee, State of Wisconsin, or of the United States.

RATIONALE: The Senn Building or Sydney Hih was one of the centers of Milwaukee's counter culture during the 1970s. A unique collection of tenants that ranged from artists' studios to leather shops to vegetarian restaurants offered the hip and trendy a place to hang out and purchase unique goods. There was nothing like it in the city. There are currently no landmarks that commemorate Milwaukee's counter culture period.

e-3 Its identification with a person or persons who significantly contributed to the culture and development of the City of Milwaukee

Without question, Dr. Nicholas Senn holds a prominent place in 19th century American medical history. He owned the building and used a portion of it for his office and his laboratory for a period of years before moving to Chicago. We recommend that the Commission discuss the following questions with regard to this criteria:

- 1) Does a man responsible for medical discoveries and the education of local physicians meet the definition of one who "significantly contributed to the culture and development of the City of Milwaukee"?
- 2) Does the fact that Dr. Senn had the building constructed and used a portion of it for offices before moving to Chicago confer sufficient status on the building to designate it under criteria e-3?

e-9 Its unique location as a singular physical characteristic which represents an established and familiar visual feature of a neighborhood, community, or of the City of Milwaukee.

The building is well-known among contemporary Milwaukeeans as the "Sydney Hih" building, and is highly visible amidst the surrounding vacant land of the Park East corridor. We suggest the Commission discuss the following questions with regard to this criteria:

- 1) The building remained standing despite freeway construction in the 1960s and more recent freeway demolition. Is the building an "established and familiar

visual feature” because its context was destroyed, or because of its individual significance?

- 2) The building has been significantly altered many times in its history, beginning about 30 years after it was constructed. Do the alterations adversely affect its significance as a visual landmark? Have the alterations acquired historic significance of their own? The State Historic Preservation Office found the building not eligible for National Register listing for its association with Dr. Senn due to alterations that occurred after Dr. Senn’s ownership. Are the alterations reversible?

X. PRESERVATION GUIDELINES

The following preservation guidelines represent the principal concerns of the Historic Preservation Commission regarding this historic designation. However, the Commission reserves the right to make final decisions based upon particular design submissions. Building maintenance and restoration must follow accepted preservation practices as outlined below. Review of maintenance projects with historic preservation staff is required. Note: this designation only applies to the Nicholas Senn Building and not to the other three buildings in the Sydney Hih Complex. As in all designations, historic status does not require the removal of alterations made prior to the designation. It is not intended to prevent new construction on the remainder of the property owned by the developer.

A. Roofs

Retain the appearance of the flat roof shape. Fire insurance maps show that skylights were once located at the roof and illuminated various spaces including a photographer’s studio. It is not known if any of the skylight structures survive. Skylights may be restored, if existing, or added to roof surfaces if they are not visible from the street or public right of way. No additional full stories may be added to the roof, as this would alter its nineteenth century appearance. Locate mechanical systems and vents on portions of the roof not visible from the public right of way and paint them out to minimize impact. Satellite dishes are to be located on portions of the roof not visible from the public right of way. There is a rooftop penthouse unit or structure that shelters an access stair to the roof. It can be rebuilt as needed or removed as needed. The addition of any new small penthouse must be set back from the parapet walls to minimize being visible from the public rights-of-way. The addition of skylights, satellite dishes, penthouses, stair enclosures and re-roofing require review by Historic Preservation staff and a Certificate of Appropriateness.

B. Materials

1. Masonry

- a. Unpainted brick, terra cotta, or stone must not be painted or covered. Painting masonry is historically incorrect and could cause irreversible damage if it was decided to remove the paint at a later date. Covering masonry with other materials (wood, sheet metal, vinyl siding, etc.) is not allowed. The building appears to have been unpainted through the mid-1950s per historic photographs but may have been cleaned. The polychrome checkerboard paint scheme applied when the building was renamed Sydney Hih was repainted with beige paint when the building went up for sale in 2000. This beige paint can remain. If the owner would want to remove the paint, that would be appropriate. See section c below.

- b. Repoint defective mortar by duplicating the original in color, hardness, texture, joint finish and joint width. See the masonry chapters in the books, As Good As New or Good For Business for explanations on why the use of a proper mortar mix is crucial to making lasting repairs that will not contribute to new deterioration of the masonry. Replaced mortar joints should be tooled to match the style of the original. Avoid using mortar colors and pointing styles that were unavailable or were not used when the building was constructed. Consultation with historic preservation staff and a Certificate of Appropriateness is required before starting any repointing and one or more test panels must be prepared and approved before work can proceed.
- c. Clean masonry only when necessary to halt deterioration and with the gentlest method possible. Sandblasting or high pressure water blasting or the use of other abrasive materials (soda, nut shells, etc.) on limestone, terra cotta, pressed brick or cream brick surfaces is prohibited. This method of cleaning erodes the surface of the material and accelerates deterioration. Avoid the indiscriminate use of chemical products that could have an adverse reaction with the masonry materials, such as the use of acid on limestone. Work should be done by experienced individuals. Consultation with historic preservation staff and a Certificate of Appropriateness is required before any cleaning would begin. The stone at the first floor storefront area may be cleaned.
- d. Repair or replace deteriorated material with new material that duplicates the old as closely as possible. Avoid using new material that is inappropriate or was unavailable when the building was constructed. Consultation with historic preservation staff and a Certificate of Appropriateness is required before any work would proceed on repairs to the stone and brick.

2. Wood/Metal

- a. Retain original material, whenever possible. Avoid removing architectural features that are essential to maintaining the building's character and appearance. Historic Preservation staff would support the retention of the copper cornice that wraps the building between the first and second story. It appears to have been installed in the 1910 remodeling of the first story. It can be repaired. Should the owner choose to return to the original cornice as illustrated in 1877, consultation with Historic Preservation staff will ensure that appropriate materials and design and construction will result in an authentic appearance. The upper cornice and pediments were removed in the mid-1950s and replaced with signage that read "West Side Bank". This signage was replaced with the letters reading "Sydney Hih" in the early 1970s. New use for the building would most likely require removal of the letters. The owner can choose to exactly replace the original cornice if he would want or to work with Historic Preservation on an appropriate alternative, be that signage or cornice. Historic Preservation staff would support the removal of the metal fire escape on the east elevation if the owner chooses to remove it.

- b. Retain or replace deteriorated material with new material that duplicates the appearance of the old as closely as possible. Avoid covering architectural features with new materials that do not duplicate the appearance of the original materials. Covering wood or metal with aluminum or vinyl is not permitted. As stated above, the copper cornice above the first story is repairable and does not need to be removed.

C. Windows and Doors

1. Retain existing window and door openings. Retain the existing configuration of panes, sash, surrounds and sills, except as necessary to restore to the original condition. Avoid making additional openings or changes in existing fenestration by enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes. Avoid changing the size or configuration of windowpanes or sash. Use storm windows or protective glazing which have glazing configurations similar to the prime windows and which obscure the prime windows as little as possible. The storefront configuration as seen today is the result of a 1910 remodeling for the building's second owner, the West Side Bank. An alteration to that storefront was made in the westernmost bay to cut in an entrance at grade. Historic Preservation staff supports retaining the storefront in its 1910 appearance. The stone piers are sound, as are the arches above the corner entry. The owner may restore the west end bay to conformity with the remainder of the storefront if he chooses. Historic Preservation staff also supports and would assist in a complete restoration of the storefront to its 1877 appearance if the owner would choose to do so. A restoration to the 1877 appearance is not required.
2. Respect the building's stylistic period. If the replacement of doors or window sash is necessary, the replacement should duplicate the appearance and design and material of the original window sash or door. New glass must match the size of the historic glass. Avoid using inappropriate sash and door replacements. Avoid the filling-in or covering of openings with inappropriate materials such as glass block or concrete block. Avoid using modern style window units, such as horizontal sliding sash or casements, in place of double-hung sash or the substitution of units with glazing configurations not appropriate to the style of the building.

Any original windows on the Senn Building should be retained and repaired if at all possible. The 1877 illustration of the building shows that the arched windows were one-over-one sash. Physical evidence, however, shows that windows were originally two-over-two. Some of the windows or portions of the sash were replaced over time and there is now a mix of two-over-two, two-over-one, one-over-two, and one-over-one sash. Historic Preservation staff will work with the owner on appropriate replacement sash. Each era produced different brick mould profiles. The brick mould profiles around the sash here must be retained, as they are an essential feature of the Italianate style. Vinyl or metal clad prime window units are not permitted. Glass block basement windows are not permitted where visible from the public right of way. Retain and existing art glass/leaded glass windows that may be located beneath the boarded up windows. Changes to doors and windows require consultation with Historic Preservation staff and a Certificate of Appropriateness.

3. Steel bar security doors and window guards are generally not allowed. If permitted, the doors or grates shall be of the simplest design and installed so as to be as unobtrusive as possible. A Certificate of Appropriateness is required for this type of installation.

D. Trim and Ornamentation

There should be no changes to the existing historic trim or ornamentation except as necessary to restore the building to its original condition. See discussion of cornice and stone above. Replacement features shall match the original member in scale, design, color and appearance. Essential features of the building such as the brick pilasters, corbelling at the upper level, paneled cornice between the second and third story and corbelled surrounds with keystones around the windows are to be retained. Consultation with Historic Preservation staff is required before any changes or repairs are made to the trim features.

E. Additions

It is not anticipated that additions will be made to the building's east (King Dr.) and south (Juneau Ave.) elevations because the building sits right at the property line. Rooftop additions have been covered under Roofs. No hanging balconies or projecting bays may be applied to the building at the east and south elevations, as this would adversely affect the building's character defining features. The north and west elevations were mostly blank party walls abutting to adjacent buildings. If the Senn Building is incorporated into new construction care must be taken to preserve the building as a free-standing entity with connectors set back from the main body of the building. Any addition or connector requires the approval of the Commission. Ideally an addition should either compliment or have a neutral effect upon the historic character of the building. Approval shall be based upon the addition's design compatibility with the building in terms of window size and placement, building height, roof configuration, scale, design, color, and materials, and the degree to which it visually intrudes upon the principal elevations or is visible from the public right of way. Additions must be smaller than the building and not obscure the historic building.

F. Signs/Exterior Lighting

The installation of any permanent exterior sign or light fixture shall require the approval of the Commission. Approval will be based on the compatibility of the proposed sign or light with the historic and architectural character of the building. Plastic internally illuminated box signs are not permitted.

G. Site Features

Given that the building occupies its entire site and is bordered by city sidewalks, it is unlikely that landscape features will be incorporated into the property. Should landscape matters come up, consultation with Historic Preservation staff, and a Certificate of Appropriateness is required before starting any work.

H. Guidelines for New Construction that Results in Alteration of the Designated Structure

Given that the building occupies its entire site and is bordered by city sidewalks, it is unlikely that there would be room for new construction except in the form of

additions or connectors as discussed above. If new construction would somehow apply to the property, the following guidelines would apply. It is important that new construction be designed to be as sympathetic as possible with the character of the structure.

1. Siting

New construction must respect the historic siting of the building. It should be accomplished so as to maintain the appearance of the building from the street as a freestanding structure.

2. Scale

Overall building height and bulk, the expression of major building divisions including foundation, body and roof, and individual building components, such as overhangs and fenestration that are in close proximity to a historic building must be compatible to and sympathetic with the design of the building. New construction is to be smaller in size and shorter in height than the historic building.

3. Form

The massing of the new construction must be compatible with the goal of maintaining the integrity of the building as a freestanding structure. The profiles of roofs and building elements that project and receded from the main block should express the same continuity established by the historic building if they are in close proximity to it.

4. Materials

The building materials that are visible from the public right-of-way and in close proximity to the historic building should be consistent with the colors, textures, proportions, and combinations of cladding materials used on the historic building. The physical composition of the materials may be different from that of the historic materials, but the same appearance should be maintained and materials not available when the house was constructed should be avoided.

I. Guidelines for Demolition

Although demolition is not encouraged and is generally not permissible, there may be instances when demolition may be acceptable if approved by the Historic Preservation Commission. The following guidelines, with those found in subsection 9(h) of the ordinance, shall be taken into consideration by the Commission when reviewing demolition requests.

1. Condition

Demolition requests may be granted when it can be clearly demonstrated that the condition of a building or a portion thereof is such that it constitutes an immediate threat to health and safety and is beyond hope of repair.

2. Importance

Consideration will be given to whether or not the building is of historical or architectural significance or displays a quality of material and craftsmanship that does not exist in other structures in the area.

3. Location

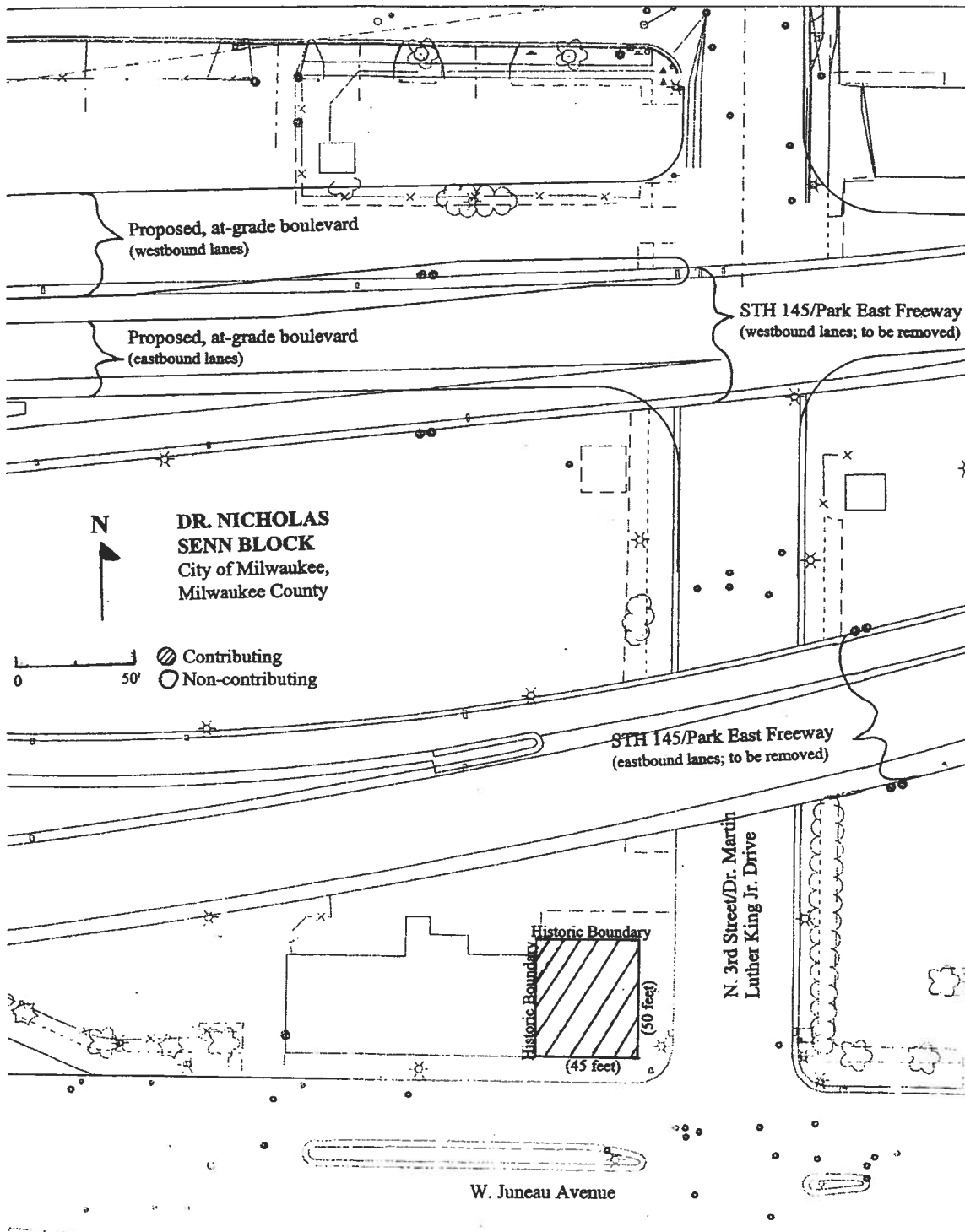
Consideration will be given to whether or not the building contributes to the neighborhood and the general street appearance and has a positive effect on other buildings in the area.

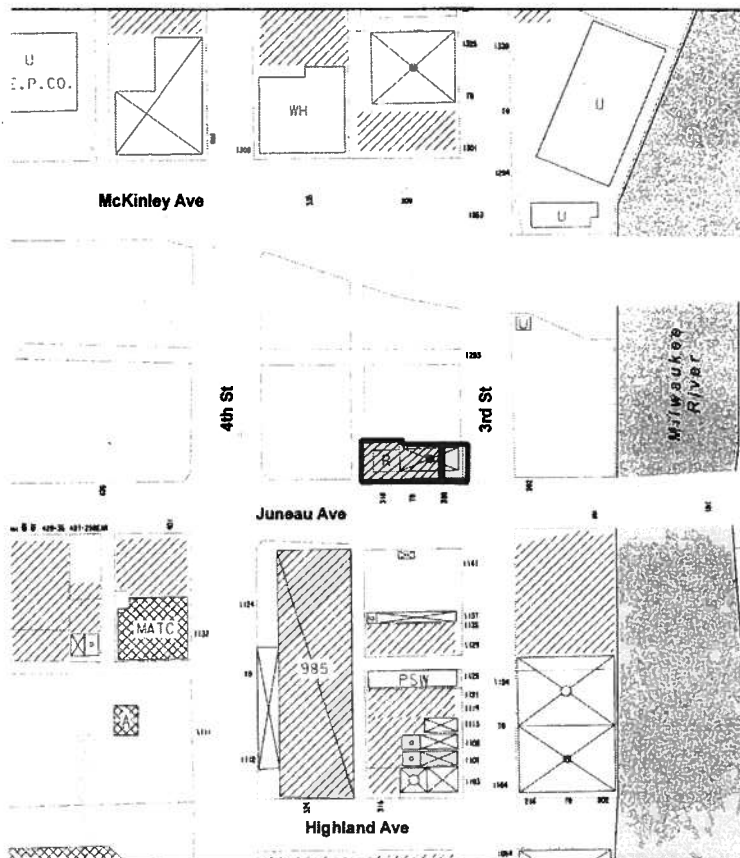
4. Potential for Restoration

Consideration will be given to whether or not the building is beyond economically feasible repair.

5. Additions

Consideration will be given to whether or not the proposed demolition is a later addition that is not in keeping with the original design of the structure or does not contribute to its character.





Nicholas Senn Building
300 - 318 W Juneau Avenue

Parcel Boundary

Produced by:
Department of City Development Information Center, RTW
Project File:
W:\Map Requests\2008\Historic Preservation\senn building.mxd
Map File:
W:\Map Requests\2008\Historic Preservation\senn building.pdf
Generated: 25-August-2008, Scale = 1:2,000

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 2/22/10

FILE NUMBER: _____

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution designating the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, as an Historic Building, in the 6th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner

C) CHECK ONE: ☐ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
☒ NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: ☐ DEPARTMENT ACCOUNT(DA) ☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF) ☐ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF) ☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

NOTICES SENT TO FOR FILE : 091436

[illegible]



Legislation Details (With Text)

File #: 091666 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 4/13/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution facilitating the Villard Square housing and City library development by Villard Square, LLC at 35th and Villard by approving the blight designation of property for financing and acquisition by the Redevelopment Authority, authorizing a cooperation agreement with the Redevelopment Authority for library funding and authorizing a lease with the Redevelopment Authority for the library portion of the property, in the 1st Aldermanic District.

Sponsors: ALD. HAMILTON

Indexes: AGREEMENTS, BLIGHT DECLARATION, LEASES, PUBLIC LIBRARY, REDEVELOPMENT AUTHORITY

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/13/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	CITY CLERK	REFERRED TO		
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/21/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

..Number
091666
..Version
SUBSTITUTE 1
..Reference
081373, 090214
..Sponsor
ALD. HAMILTON

..Title
Substitute resolution facilitating the Villard Square housing and City library development by Villard Square, LLC at 35th and Villard by approving the blight designation of property for financing and acquisition by the Redevelopment Authority, authorizing a cooperation agreement or other agreements with the Redevelopment Authority for library funding and authorizing a lease with the Redevelopment Authority for the library portion of the property, in the 1st Aldermanic District.

..Analysis
Adoption of this substitute resolution by at least two-thirds vote of the Common Council will approve the blight designation and acquisition of property by the Redevelopment Authority pursuant to Section 66.1333(5)(c), Wisconsin Statutes, authorize a cooperation agreement or other agreements with the Redevelopment Authority for funding of library improvements and authorize a lease between the Redevelopment Authority and the City of Milwaukee for the public portion of the property as outlined in the Blight Designation Summary and Land Disposition Report.

..Body
Whereas, By adoption of File No. 081373 on February 10, 2009, the Common Council of the City of Milwaukee ("Council") authorized sale of a City-owned lot for Villard Square, a mixed-use project with affordable housing, and the required detailed planned development zoning was authorized by passage of File No. 090214 on July 28, 2009; and

Whereas, A key component of Villard Square includes relocation of the existing Villard Avenue Library from a free-standing building at 3310 West Villard Avenue to the ground floor of the new building with the provision of parking for library patrons and staff; and

Whereas, The project developers, Villard Square, LLC ("Villard Square"), a joint effort of the Northwest Side Community Development Corporation and Gorman and Company, have requested financial assistance for the library component of the project from the City of Milwaukee ("City") through funds from the Capital Budget and from the Redevelopment Authority of the City of Milwaukee ("Authority") through an application for New Market Tax Credits; and

Whereas, To use New Market Tax Credits, the Authority or a related limited liability company would need to own the library portion of the project; and

Whereas, After completion of construction, Villard Square will create a condominium and will convey the library unit to the Authority for lease to the City on a long-term basis with an option to purchase; and

Whereas, For the Authority to participate in project financing and to own a portion of the property, the property must be declared blighted by the Authority and the Council must approve acquisition of the property; and

Whereas, Section 66.1333(5)(c), Wisconsin Statutes, enables the Authority, with the approval of the Council, to acquire blighted property without designating a boundary or adopting a redevelopment plan after holding a public hearing and providing the property owners with proper notice; and

Whereas, The property owners waived their right to the statutory hearing notices and the Authority conducted the public hearing on the proposed blight designation of the properties at 3401, 3415, 3423, 3427-29 and 3431-33 West Villard Avenue on April 15, 2010, pursuant to Wisconsin Statutes; and

Whereas, After the hearing, the Authority determined the properties to be blighted within the meaning of Section 66.1333(4)(bm), Wisconsin Statutes, as summarized in a Blight Designation Summary and Land Disposition Report, a copy of which is attached to this Common Council File, and requested approval of these acquisitions by the Council; and

Whereas, After approval of the blight designation, the Authority intends to apply for New Market Tax Credits and obtain Capital funds from the City through a cooperation agreement or other agreements to provide funding for the library component of the project; and

Whereas, After construction, the Authority will acquire the library condominium unit from Villard Square and lease the unit to the City as summarized in the Blight Designation Summary and Land Disposition Report; and

Whereas, The City Plan Commission has approved lease of the space for municipal use; and

Whereas, The Public Hearing conducted on April 15, 2010, concurrently addressed the disposition of property by the Authority and the Blight Designation Summary and Land Disposition Report is hereby submitted to the Council as required by Wisconsin Statutes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it is found, determined and reaffirmed that:

1. The properties at 3401, 3415, 3423, 3427-29 and 3431-33 West Villard Avenue are blighted within the meaning of Section 66.1333(4)(bm), Wisconsin Statutes, as amended.

2. The objectives of the Authority cannot be achieved solely through rehabilitation of these properties; and, be it

Further Resolved, That the acquisition of the library condominium unit of the new project by the Authority is approved; and, be it

Further Resolved, That the proposed lease between the Authority, or assigns, and the City for the library condominium unit is approved as outlined in the Blight Designation Summary and Land Disposition Report; and, be it

Further Resolved, That the proper City officials are authorized to execute a cooperation agreement or other agreements with the Authority to provide funding for the library improvements, to execute a lease with purchase option with the Authority, or assigns, and to execute any other needed legal documents to implement the intent of this resolution upon the recommendation of the City Attorney.

..Drafter

DCD-Redevelopment Authority

CC:bmm

04/22/10

CITY OF MILWAUKEE FISCAL NOTE

A) DATE April 22, 2010

FILE NUMBER: 091666

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Substitute resolution facilitating the Villard Square housing and City library development by Villard Square, LLC at 35th and Villard by approving the blight designation of property for financing and acquisition by the Redevelopment Authority, authorizing a cooperation agreement or other agreements with the Redevelopment Authority for library funding and authorizing a lease with the Redevelopment Authority for the library portion of the property, in the 1st Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): RACM and Milwaukee Public Library

C) CHECK ONE: ☒ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
☐ NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: ☐ DEPARTMENT ACCOUNT(DA) ☐ CONTINGENT FUND (CF)
☒ CAPITAL PROJECTS FUND (CPF) ☐ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF) ☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	2009 Capital funds	LB145090100	\$1,000,000		
	2010 Capital funds	LB145090100	1,750,000		
TOTALS			\$2,750,000		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

BLIGHT DESIGNATION SUMMARY & LAND DISPOSITION REPORT

VILLARD SQUARE – 35TH & VILLARD

DATE

April 13, 2010

RESPONSIBLE STAFF

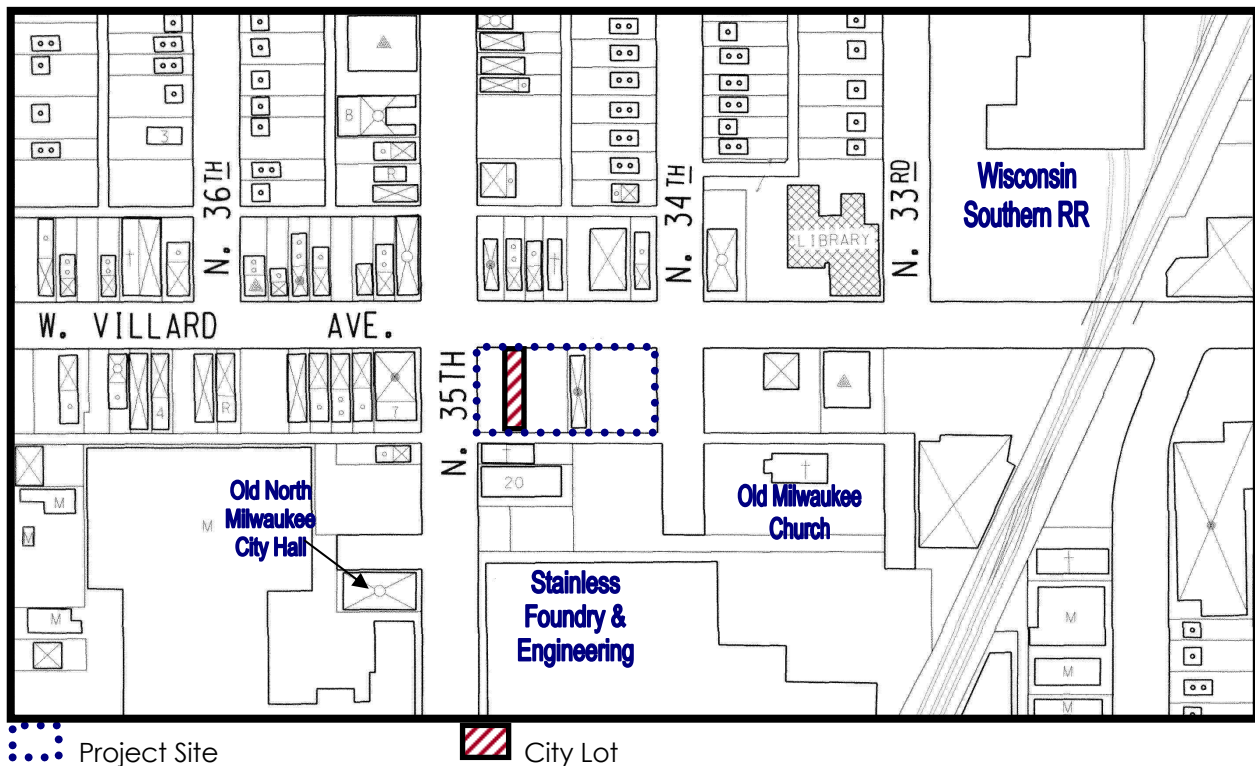
Clifton Crump, Economic Development (286-5805)

PROPOSED ACTIVITIES

Facilitate relocation of the Villard Avenue Library to Villard Square, a mixed-use affordable housing development to be developed at 35th & Villard. The Redevelopment Authority will participate in financing and ownership of the new library, but such participation requires that one City-owned and four privately owned properties be declared blighted. The Council previously authorized sale of the City lot and an amendment to the Detailed Planned Development zoning. Also, the action authorizes a Cooperation Agreement between the City and the Redevelopment Authority to finance library improvements and a lease with purchase option between the City and Authority for the library.

NEIGHBORHOOD

Old North Milwaukee. The 35th & Villard intersection is the central commercial corridor of the original Town of North Milwaukee. Major facilities include the Villard Library, Stainless Foundry and Wisconsin Southern Railroad.



DEVELOPER

Villard Square, LLC, a limited liability company formed by the Northwest Side Community Development Corporation (NWCDC) and Gorman and Company. NWCDC is a non-profit corporation founded in 1983 to facilitate community-based development on the northwest side of Milwaukee with special emphasis in the Villard Avenue corridor. Howard Snyder is Executive Director. Gorman and Company is a Madison-based multi-family development company founded in 1984.

that specializes in developing affordable housing. Gorman has extensive Milwaukee experience including such projects as the Metcalfe Park Townhomes, Blue Ribbon Lofts, Golden Dome Apartments, Kunzelman Esser Lofts and Lindsay Commons (formerly London Square). Gary Gorman is President.

PARCEL ADDRESS & DESCRIPTION

3401, 3415, 3423, 3427-29 and 3431-33 West Villard Avenue: Five contiguous lots to be assembled to create a 29,142 SF development site with 255 feet along Villard Avenue and 120 feet on North 35th Street. One property is currently improved, but the structure will be demolished. The City lot at 3427-29 West Villard has been authorized for sale to the developer.

BLIGHT FINDING

The properties can be considered blighted pursuant to Wisconsin Statutes for the following reasons:

- The lots are undersized in today's market and have irregular and obsolete platting in relation to the surrounding neighborhood.
- The vacant status negatively impacts the surrounding neighborhood.

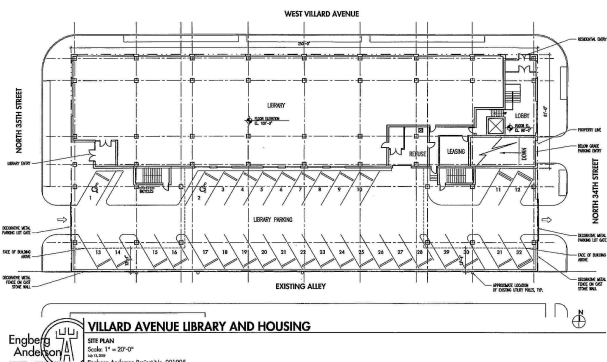
PROJECT DESCRIPTION

Villard Square, a four-story mixed-use building containing approximately 29,142 SF. The upper levels will contain 47 affordable housing units that will be targeted toward grandfamilies/intergenerational housing where parents are not the primary caregivers. The housing units will be a mix of one, two and three-bedroom units.

The Villard Avenue Library will relocate to the ground floor from its free-standing location at 3310 West Villard. The library will contain approximately 12,000 SF and will have use of a 32-car surface parking lot along the alley. The library entrance will be at the corner of 35th & Villard. The Library and Department of City Development staff must approve the design and construction specifications for the library. The developer will finish the library to a "grey box" condition and the City shall be responsible for the interior build-out. The City shall be consulted on proposed contractors.



Rendering from 34th & Villard



35th Street Elevation



Villard Avenue Elevation

Total costs are approximately \$10 million, of which approximately \$3.1 million is associated with the library. Financing for the housing component will be primarily Federal Affordable Housing Tax Credits that have been allocated by the Wisconsin Housing and Economic Development Authority (WHEDA). The developer is estimating 25% EBE participation.

NEW MARKET TAX CREDITS/COOPERATION AGREEMENT

The new Villard Avenue Library will be financed through \$2.75 million in City Capital funds and approximately \$600,000 through a forgivable New Market Tax Credits loan to be obtained by the Redevelopment Authority. A Cooperation Agreement between the City and the Redevelopment Authority is authorized to provide the Capital funds to the Authority for library construction.

The Authority will apply for New Market Tax Credits through either WHEDA or MEDC. Upon receipt, the Authority will execute an agreement with the issuer or possibly create a limited liability company to receive the credits. A Purchase Agreement with the developer provides the mechanism to provide funds for library construction. Upon completion, the Redevelopment Authority will acquire the library condominium unit.

CONDOMINIUM DOCUMENTS & PURCHASE AGREEMENT

After construction, Condominium Declaration and Plat will be filed to create two condominium units: the Library Unit and the Housing Unit. As outlined in the Purchase Agreement, the developer will convey to the Redevelopment Authority the first-floor Library condominium, consisting of approximately 12,000 SF of unfinished space. The adjacent surface parking lot will be considered a limited common element for primary use by the library. The price for the Library Unit will be the hard construction costs, plus the soft costs, including developer profit, general conditions and overhead as well as other standard expenses such as architectural and engineering fees. Closing will occur within 30 days of completion, but not later than June 15, 2011, subject to delays outside the developer's control.

The Library Unit will have separate HVAC, plumbing and lighting systems to the extent permitted by building cost and utilities will be separately metered. Maintenance of the surface parking lot will be the responsibility of the Library Unit. Shared expenses will be limited to roof repair and replacement, foundation repair, maintenance and insurance based on the proportionate share of square footage on floors one through four. Each condominium unit will be responsible for maintaining the exterior wall and windows of its units and structure.

The condominium association will have four members, two of which will be appointed by the Library Unit. Based on the independent design and operation of the two units, the condominium association will have a lesser role in management than a typical condominium association.

The Authority also will acquire a perpetual license for eight underground parking spaces for staff use. The license shall not require a fee, but obligates the Authority to pay its proportionate share of maintenance, repairs and operating expenses.

LIBRARY LEASE

The Redevelopment Authority will enter into a lease with purchase option with the City of Milwaukee for the Library Unit upon completion of construction and filing of the condominium documents. The lease will be long term to correspond to the compliance period of the New Market Tax Credits. No rent shall be paid to the Redevelopment Authority and the City will be responsible for all maintenance, repair and operation expenses under the lease. The City may elect to purchase the Library Unit under the terms of the lease.

FUTURE ACTIONS

Upon approval by the Redevelopment Authority and the Common Council, the City and/or the Redevelopment Authority will enter into the following documents that have been substantially

negotiated by the City Attorney in consultation with the Library Board and the Department of City Development:

- City-Authority Cooperation Agreement to provide Capital funding for library construction.
- New Market Tax Credit Agreement between the Redeveloper Authority and the issuer to receive proceeds from the tax credit sale. A limited liability company may need to be created by the Authority and the issuer to implement the funding.
- Purchase Agreement between Villard Square, LLC and the Redevelopment Authority to acquire the Library Condominium Unit.
- Library Lease between the City and the Redevelopment Authority for the Library Unit. No income will be paid by the Library under the lease and the library will be responsible for all expenses. The City has the option to purchase the Library Unit after the tax credit compliance period.
- License Agreement between the City and Villard Square, LLC for use of eight underground parking spaces.

Although substantially negotiated, changes may be made upon the recommendation of the City Attorney provided such changes are consistent with the intent of the Common Council and the Redevelopment Authority actions.

RIDER TO OFFER TO PURCHASE
DRAFT AS OF 4-22-10

1. This Rider is made a part of the attached WB-15 Commercial Offer to Purchase (the "Form") by and between the undersigned Buyer and the undersigned Seller. In the event of any conflict between the terms and conditions of this Rider and the other terms and conditions of the Form, the terms of this Rider shall control. The Form and this Rider are collectively referred to herein as the "Offer."
2. Seller is developing a condominium to be known as Villard Square Condominium (the "Condominium") on the property located on Villard Avenue between 34th and 35th Streets in Milwaukee, Wisconsin. The Condominium will consist of two units; namely, the "Library Unit" and the "Gorman Unit." The Library Unit will consist of the first floor of the Condominium (excluding a lobby for the Gorman Unit) and is intended to be operated as a City of Milwaukee library. The Library Unit will also have a limited common element appurtenant to it that will consist of a surface parking lot (the "Parking Lot"). The Gorman Unit will consist of the basement, a lobby on the first floor and the second through fourth floors of the Condominium. The basement of the Gorman Unit will contain underground parking spaces. The second through fourth floors of the Gorman Unit will contain apartment units. The Gorman Unit will be operated as a low-income housing project.
3. The Property under this Offer consists of the Library Unit, Seller's undivided interest in the common elements and limited common elements (including the Parking Lot) appurtenant to the Library Unit and all of the rights, interests, obligations and limitations as set forth in the condominium declaration and plat creating the Condominium and any amendments thereto.
4. Buyer acknowledges that the Condominium improvements have not yet been constructed. Seller shall be obligated to construct the Condominium improvements pursuant to the terms of this Offer. Buyer shall have the right to approve the plans and specifications for the exterior of the Condominium, the Parking Lot and the Library Unit. Seller shall deliver to Buyer the proposed plans and specifications for the exterior of the Condominium, the Parking Lot and the Library Unit. Seller and Buyer shall cooperate in good faith to agree upon the plans and specifications for the exterior of the Condominium, the Parking Lot and the Library Unit. Seller shall not make any material changes to the approved plans and specifications for the exterior of the Condominium, the Parking Lot or the Library Unit without the prior written consent of Buyer. A change shall be deemed material if it is a deviation from a specified type, size or specification of any parts or components used in connection with construction or if it decreases

the quality or quantity of any specified parts or components. In the event Buyer requests any changes be made to the approved plans and specifications for the Parking Lot and/or Library Unit, Seller shall consider such requests or changes in good faith provided the changes do not increase costs or result in any delays. Buyer acknowledges that the Library Unit will be built to a "grey box" condition and that Buyer will be solely responsible for finishing, at its cost, the buildout of the Library Unit. Attached hereto as Exhibit A are the specifications setting forth the scope of the items to be included in the Library Unit in connection with its being built to a "grey box" condition.

Seller shall deliver to Buyer one or more lists of proposed contractors that will be constructing the Library Unit and the Parking Lot. Buyer shall have five (5) business days after its receipt of each such list to notify Seller whether any of the proposed contractors is unacceptable to Buyer. In the event a contractor is unacceptable to Buyer, Buyer and Seller shall cooperate in good faith to select a different contractor that is acceptable to both Buyer and Seller. Buyer acknowledges that Buyer shall have no right to object to any proposed contractor unless Buyer or the City of Milwaukee has had a previous negative experience with such contractor. Buyer shall be deemed to have approved each contractor on a list unless Buyer, within five (5) business days of its receipt of the list, objects to any particular contractor.

Seller shall cause the construction of the Library Unit to be completed on or before the date of closing in accordance with the terms of Section 9 below. Seller shall deliver to Buyer, on or before the date of closing, final lien waivers from all of the contractors that have performed any work on the Library Unit.

Seller shall cause the construction of the Parking Lot to be completed on or before the date on which the Buyer intends to open the library in the Library Unit. Buyer shall notify Seller in writing, on or before the date of closing, of the date on which Buyer intends to open the library.

5. Seller shall deliver to Buyer a draft of the Condominium disclosure materials required by Wisconsin Statutes Section 703.33 including, without limitation, the condominium declaration and plat creating the Condominium and any amendments thereto, the articles of incorporation, by-laws, rules and regulations of the Villard Square Condominium Association (the "Association") and a proposed budget for the Association (collectively, the "Condominium Documents"). The Condominium Documents must be approved by both Seller and Buyer. Seller and Buyer shall cooperate in good faith to agree upon the Condominium Documents. No changes shall be made to the approved Condominium Documents except as allowed by the terms of the Condominium Documents.

6. Seller shall provide Buyer with a perpetual license to use eight of the parking spaces located in the basement of the Condominium (the "Underground Spaces"). Seller shall deliver to Buyer a draft of the license agreement (the "License Agreement"). Pursuant to the terms of the License Agreement, Buyer shall not be obligated to pay any fees for its use of the Underground Spaces but shall be obligated to pay its proportionate share (____%) of all maintenance, repair, replacement and operating costs related to the Underground Spaces. The License Agreement must be approved by both Seller and Buyer. Seller and Buyer shall cooperate in good faith to agree upon the License Agreement.
7. Buyer shall pay to Seller, at closing, a purchase price (the "Purchase Price") for the Property as calculated below. The Purchase Price shall be equal to the sum of (a) the Construction Costs (as defined below), plus (b) the stipulated sum of \$154,248 to cover all of Seller's profit, general conditions costs and overhead costs plus (c) the stipulated sum of \$89,786 to cover Buyer's share of all soft costs related to the development of the Condominium. The "Construction Costs" shall be equal to the sum of (x) the costs incurred by Seller in constructing the Library Unit, (y) the costs incurred by Seller in constructing the Parking Lot, plus (z) the costs incurred by Seller in constructing the Underground Spaces. Prior to commencement of construction, Seller shall provide Buyer with a schedule of values setting forth the estimated values of the various Construction Costs. If and to the extent Seller has not incurred all of the costs of constructing the Parking Lot prior to the date of closing, Seller shall notify Buyer of the costs actually incurred and a reasonable estimate of the remaining costs to be incurred to complete the Parking Lot (the "Remaining Costs"). Buyer shall pay to Seller only the actually incurred costs at closing. Buyer shall pay an amount equal to the Remaining Costs to an escrow account holder at closing, which shall hold same pending completion of the Parking Lot. The costs incurred by Seller in constructing the Underground Spaces shall be equal to _____ percent (____%) of all costs incurred by Seller in constructing all of the parking improvements in the basement of the Condominium. In the event any Construction Costs relate to the entire Condominium and cannot be separately allocated to individual components of the Condominium (such as the Library Unit), then such costs shall be allocated on a reasonable basis and Buyer shall be responsible for its proportionate share of such costs. A list of the various categories of Construction Costs is attached hereto as Exhibit B. The Purchase Price shall be paid by Buyer, including the amount of the Remaining Costs deposited into escrow at closing (subject to the terms of Section 9 below). Seller shall deliver to Buyer, on a monthly basis during construction of the Library Unit and Parking Lot, copies of all applications for payment and invoices it receives from contractors related to the costs of constructing the Library Unit and Parking Lot and any updates to the schedule of values related to the Construction Costs. Seller shall also keep Buyer

informed, on a monthly basis, of any construction contracts that have been entered into with respect to the Library Unit and the Parking Lot and any potential cost savings. Seller shall also deliver to Buyer, at least 10 days prior to the date of closing, reasonable evidence setting forth the calculation of the Purchase Price including, without limitation, copies of any invoices related to the Construction Costs. In no event, however, shall the Purchase Price, including the cost of completing the Parking Lot subsequent to closing, exceed \$1,291,500. In the event the actual amount of the Purchase Price is less than \$1,291,500, then Buyer shall be entitled to one hundred percent (100%) of such savings.

Upon Seller's completion of construction of the Parking Lot, Seller shall provide Buyer with reasonable evidence of the actual costs of completing the Parking Lot incurred by Seller after the date of closing. Disbursement of some or all of the funds in escrow shall require the good faith agreement of Buyer and Seller.

8. Buyer shall have the right to terminate this Offer at any time on or before June 15, 2010 in the event (a) Buyer and Seller have not agreed upon the plans and specifications for the exterior of the Condominium, the Parking Lot and the Library Unit, (b) Buyer and Seller have not agreed upon the Condominium Documents or (c) Buyer has not received formal approval from its Board approving this transaction. In order to terminate this Offer, Buyer must deliver written notice thereof to Seller no later than June 15, 2010. In the event Buyer has not delivered such notice to Seller by such date, Buyer shall be deemed to have waived its right to terminate this Offer, this Offer shall remain in full force and effect and Buyer shall have the unconditional obligation to close on its purchase of the Property pursuant to the terms of this Offer.

Seller shall have the right to terminate this Offer at any time on or before June 15, 2010 in the event (a) Buyer and Seller have not agreed upon the plans and specifications for the exterior of the Condominium, the Parking Lot and the Library Unit, (b) Buyer and Seller have not agreed upon the Condominium Documents or (c) Seller has not obtained firm commitments for debt and equity in amounts and upon conditions satisfactory to Seller, in its sole discretion, to allow Seller to proceed with the development of the Condominium. In order to terminate this Offer, Seller must deliver written notice thereof to Buyer no later than June 15, 2010. In the event Seller has not delivered such notice to Buyer by such date, Seller shall be deemed to have waived the right to terminate this Offer, this Offer shall remain in full force and effect and Seller shall have the unconditional obligation to sell the Property to Buyer pursuant to the terms of this Offer.

Notwithstanding the foregoing, in the event Seller has obtained, on or before June 15, 2010, firm commitments for debt and equity in amounts and upon

conditions satisfactory to Seller, and Seller and Buyer have not yet agreed upon the plans and specifications for the exterior of the Condominium, the Parking Lot and the Library Unit and/or the Condominium Documents, the June 15, 2010 dates as set forth in the previous two paragraphs of this Section 8 shall be extended through August 15, 2010 upon Seller's delivery of written notification to Buyer thereof.

9. This transaction shall be closed at Seller's attorneys' office on the date that is 30 days after the Completion Date (as defined below) of the Library Unit, unless another date or place is agreed to in writing. The "Completion Date" shall be the date on which the architect for the Condominium delivers to the Seller a certificate of substantial completion confirming that the Library Unit has been substantially completed in accordance with the approved plans and specifications for same. The Completion Date shall be achieved no later than June 15, 2011, subject to delays outside of Seller's control ("Excusable Delays"). Excusable Delays shall include, without limitation, delays resulting from labor disputes, fire and other casualties, unusual delays in delivery, acts of God and acts and omissions of Buyer and Buyer's consultants. In the event of any Excusable Delay, the time period for achieving the Completion Date shall automatically be extended by the amount of the Excusable Delay. In the event Seller does not achieve the Completion Date on or before June 15, 2011, as such date may be extended for Excusable Delays, Seller shall pay to Buyer, as liquidated damages and as Buyer's sole remedy, the amount of \$100 per day for each and every day thereafter until Seller achieves the Completion Date. The amount of any such liquidated damages shall be deducted from the Purchase Price at closing.

Seller shall promptly deliver to Buyer a copy of the certificate of substantial completion for the Library Unit. Upon Buyer's receipt of such certificate of substantial completion, Buyer, Seller and the architect shall inspect the Library Unit to set forth a list of any punch list items that remain to be completed and/or corrected, and Seller shall cause its contractors to complete such punch list items prior to the date of closing; provided, however, that if the items are of a nature that they cannot be completed prior to the date of closing, then Seller shall cause its contractors to complete such items as soon after closing as reasonably possible. Failure to include any item on the punch list does not alter the responsibility of the Seller to complete the construction of the Library Unit and the Parking Lot in accordance with the requirements of this Offer. In the event any punch list items have not been completed as of the date of closing, Buyer may withhold 150% of the cost of completing such items from the Purchase Price until such punch list items have been completed, at which time Buyer shall pay such withheld amounts to Seller.

10. Buyer shall have the right to inspect the construction of the Condominium from time to time upon reasonable notice to Seller. Buyer shall use reasonable efforts to provide at least one day notice to Seller, but the notice may be provided the same day in the event Buyer cannot reasonably provide at least one day notice. Any inspection or observation by Buyer during construction shall not be considered acceptance of any portion of the Library Unit or the Parking Lot not in conformance with the terms of this Offer; provided, however, that if Buyer observes that any portion of the Library Unit and/or the Parking Lot is not being constructed in accordance with the terms of this Offer, Buyer shall notify Seller thereof. Buyer and its contractors shall also have reasonable access to the common areas of the Condominium in connection with Buyer's build out of the Library Unit. Buyer shall not interfere with any construction activities being undertaken by Seller and shall comply with any safety procedures required by Seller or Seller's contractors in connection with any such inspections and/or access.
11. At closing, Seller shall assign to Buyer any and all warranties Seller obtains in connection with the construction of the Library Unit and the Parking Lot. Seller shall cause the contractors to provide a warranty against defects for a period of one year after completion of the Library Unit and the Parking Lot. Independent of, and in addition to, any such contractors' warranties, Seller shall provide Buyer with a full warranty against defects in workmanship or materials for a period of one year from completion of each of the Library Unit and Parking Lot Eleven months after the date of completion of each of the Library Unit and Parking Lot, , the parties shall meet and jointly inspect the same to determine whether or not any such defects exist.
12. In connection with its construction of the Library Unit and the Parking Lot, Seller shall comply with all emerging business enterprise and resident preference requirements imposed by the City of Milwaukee and shall require that all construction workers be paid prevailing wages in connection with such construction.

SELLER:

BY _____
Its _____

BUYER:

REDEVELOPMENT AUTHORITY OF THE
CITY OF MILWAUKEE

BY _____
Its _____

EXHIBIT A

Grey Box Specifications

[To be attached]

EXHIBIT B

Construction Costs

1. All amounts paid by Seller to the contractors performing construction work.
2. Costs, including transportation and storage, of materials and equipment incorporated or to be incorporated in the construction work.
3. Costs of materials in excess of those actually installed to allow for reasonable waste and spoilage.
4. Any sales, use or similar taxes paid by Seller on any construction work.
5. Costs of any and all permits and licenses obtained by Seller in connection with the work including, without limitation, building permits.
6. Costs of any inspections or tests.
7. Any royalties or license fees paid for the use of a particular design, process or product.
8. All costs paid by Seller in connection with the rental of any machinery, equipment or tools.
9. Any bond premiums paid by Seller in connection with construction.
10. Any insurance costs paid by Seller in connection with construction.
11. Any and all other reasonable costs incurred by Seller in connection with construction.

1125-2009-1815:156231

NOTICES SENT TO FOR FILE: 091666

[illegible]



Legislation Details (With Text)

File #: 091155 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/22/2009 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution approving a final Certified Survey Map for property located at 916 South Cesar E. Chavez Drive and at 1540, 1542, 1546 and 1550 West Mineral Street for expansion of a parking lot for an existing business and dedication of land for public purposes, in the 12th Aldermanic District.

Sponsors: THE CHAIR

Indexes: CERTIFIED SURVEY MAPS

Attachments: Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
4/20/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

091155

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution approving a final Certified Survey Map for property located at 916 South Cesar E. Chavez Drive and at 1540, 1542, 1546 and 1550 West Mineral Street for expansion of a parking lot for an existing business and dedication of land for public purposes, in the 12th Aldermanic District.

Analysis

This resolution approves a final Certified Survey Map that combines five parcels into one for expansion of a parking lot for an existing business, El Rey Enterprises II, LLC, and dedicates land for the relocation of a north-south leg of alley.

Body

Whereas, The Milwaukee Code of Ordinances, Chapter 119-5, Subdivision Regulations, requires City Plan Commission ("CPC") approval, conditional approval or disapproval of all Certified Survey Maps ("CSMs"), which provide dedication of land to the City of Milwaukee ("City") for public purposes; and

Whereas, The City received one final CSM, a copy of which is attached to this Common Council File, which dedicates land to the City for public purposes; and

Whereas, In compliance with the above-referenced chapter of the Milwaukee Code of Ordinances, CPC has reviewed and recommended approval of said CSM; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the following CSM is approved:

OWNER'S NAME, DCD NO., TAX KEY NO.

El Rey Enterprises II, LLC, DCD No. 2784, Tax Key Nos. 433-0927-000, 433-0928-000, 433-0929-000, 433-0930-000 and 433-2271-000

Drafter

DCD:KDC:kdc

12/22/09/A

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 12/22/09

FILE NUMBER:

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution approving a final Certified Survey Map for property located at 916 South Cesar E. Chavez Drive and at 1540, 1542, 1546 and 1550 West Mineral Street for expansion of a parking lot for an existing business and dedication of land for public purposes, in the 12th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, DCD

C) CHECK ONE: ☐ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
☒ NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: ☐ DEPARTMENT ACCOUNT(DA) ☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF) ☐ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF) ☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

DJD#2784

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A DIVISION OF LOTS 24, 25, 26 AND 27, BLOCK 2, M. KEENAN'S SUBDIVISION AND ALL OF CERTIFIED SURVY MAP NO. 7683 INCLUDING THE ALLEY (NOW VACATED) ALL LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWN 7 NORTH, RANGE 22 EAST, CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

THE NW CORN. OF THE SE 1/4 OF SECT. 31-7-22 conc. mon. w/ brass cap N: 380.106.11 E: 2,551.384.61
THE NE CORN. OF THE SE 1/4 OF SECT. 31-7-22 conc. mon. w/ brass cap N: 380.171.02 E: 2,554.019.25
TAX KEY NO. 433-0927-000, -0928-000, -0929-000, -0930-000 & -2271-000
• -- DENOTES SET 5/8" X 18" LONG IRON REBAR WEIGHING 1.5 LBS. PER LINEAL FOOT.

W. WALKER ST.

(76' WIDE PUBLIC R-O-W)

N88°11'51"E 169.96'

P.O.B.

33.00'

33.00'

S. CESAR E. CHAVEZ DR.

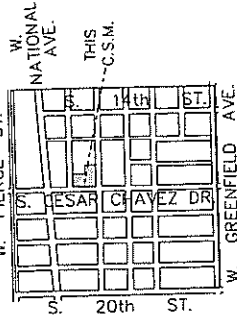
(66' WIDE PUBLIC R-O-W)

N01°34'49"W 300.04'

S01°32'27"E 160.29'

LOT 10, BLOCK 2
M. KEENAN'S SUBDIVISION

ZONING: LB2
RT4



LOCATION SKETCH
SOUTHEAST 1/4 SECTION 31-7-22
SCALE: 1" = 2500'

PARCEL 1

69,259.7 Sq.Ft.
1.59 Acres

DEDICATED TO THE CITY
OF MILWAUKEE FOR
PUBLIC ALLEY PURPOSES
2,810.3 Sq. Ft.
0.06 Acres

TOTAL AREA
OF PROPERTY:
72,070 Sq. Ft.
1.65 Acres

N88°17'18"E 150.00' PUBLIC ALLEY

130.00'

20.00'

20.00'

S01°32'27"E 140.50'

S01°32'27"E 140.53'

LOT 28, BLOCK 2
M. KEENAN'S SUBDIVISION

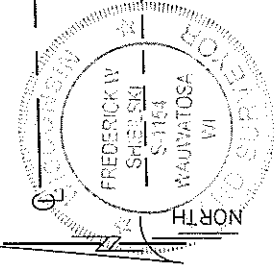
299.75'

GRAPHIC SCALE

S88°22'50"W 319.75'

W. MINERAL ST.

(66.47' WIDE PUBLIC R-O-W)



1 inch = 60 ft.

(IN FEET)

SURVEYING
ASSOCIATES, INC.

2554 N. 100TH STREET
WAUWATOSA, WI. 53226
PHN 414-257-2212
FAX 414-257-2443

INSTRUMENT DRAFTED BY: TRACI L. ZUPKE(dw) JOB NO. 32829 CSM DECEMBER 7, 2009 SHEET 1 OF 3

DEPARTMENT OF CITY
DEVELOPMENT
CITY OF MILWAUKEE

DEC 10 2009

STAFF APPROVED

INFRASTRUCTURE
SERVICES DIVISION

Maecia Connell 12/17/09

CENTRAL DRAFTING & RECORDS MANAGER

Engr. in Charge ENVIRON-ENGR. 12/16/09

Correct
CITY ENGINEER 12/18/09

APPROVED

FREDERICK W. SHIBILSKI S - 1154

DD#2784

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A DIVISION OF LOTS 24, 25, 26 AND 27, BLOCK 2, M. KEENAN'S SUBDIVISION AND ALL OF CERTIFIED SURVY MAP NO. 7683 INCLUDING THE ALLEY (NOW VACATED) ALL LOCATED IN THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 31, TOWN 7 NORTH, RANGE 22 EAST, CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE
STATE OF WISCONSIN)
MILWAUKEE COUNTY)SS

I, Frederick W. Shibiliski, a registered land surveyor do hereby certify:

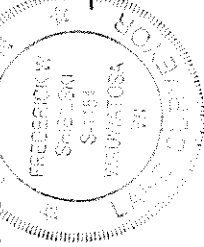

That I have surveyed, divided and mapped Lots 24, 25, 26 and 27, Block 2, M. Keenan's Subdivision and all of Certified Survey Map No. 7683 including the alley (now vacated) all located in the Northeast ¼ of the Southeast ¼ of Section 31, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, being more particularly described as follows: Commencing at the Northeast corner of th Southeast ¼ of Section 31; thence South 88° 35' 19" West along the North line of said ¼ Section, 1290.21 feet; thence South 01° 34' 49" East, 775.79 feet to the Northwest corner of Certified Survey Map No. 7683; thence North 88° 11' 51" East, 169.96 feet; thence South 01° 32' 27" East, 160.29 feet; thence North 88° 17' 18" East, 150.00 feet; thence South 01° 32' 27" East, 140.53 feet to a point on the North right-of-way line of West Mineral Street; thence South 88° 22' 46" West, 319.75 feet to a point on the East right-of-way line of South Cesar E. Chavez Drive; thence North 01° 34' 49" West 300.04 feet to the point of beginning.

That I have made such survey, land division and map by the direction of El Rey Enterprises II, LLC, owner of said land.

That this map is a correct representation of all exterior boundaries of land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 119 of the Milwaukee Code in surveying, dividing and mapping the same.

Dated this 7th day of December 2009.



Frederick W. Shibiliski S-1154
Wisconsin Reg. Land Surveyor

CORPORATE OWNERS CERTIFICATE:

El Rey Enterprises II, LLC, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin as owner, does hereby certify that said corporation caused the land described to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of Chapter 119 of the Milwaukee Code of Ordinances.

In consideration of the approval of this map by the Common Council, and in accordance with Chapter 119 of the Milwaukee Code of Ordinances, the undersigned agrees:

- a. That all utility lines to provide electric power and telephone services and cable television or communications systems lines or cables to all parcels in the certified survey map shall be installed underground in easements provided therefor, where feasible.

This agreement shall be binding on the undersigned and assigns.

IN WITNESS WHEREOF, the said El Rey Enterprises II, LLC has caused these presents to be signed by Ernesto Villarreal, its Representative, at Milwaukee, Wisconsin, on this 9th day of December, 2009.

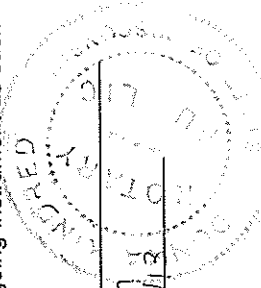
In the Presence of:



El Rey Enterprises II, LLC
Ernesto Villarreal, Representative

STATE OF WISCONSIN)
MILWAUKEE COUNTY)SS

Personally came before me this 9th day of December, 2009, the above named Ernesto Villarreal, of the above named Corporation, to me known to be the person who executed the foregoing instrument and to me known to be such Representative of said Corporation and acknowledged that he executed the foregoing instrument as such officer as the deed of said Corporation by its authority.


Notary Public, State of Wisconsin
My Commission expires 2/24/13
My commission is permanent.

DUD# 2784

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A DIVISION OF LOTS 24, 25, 26 AND 27, BLOCK 2, M. KEENAN'S SUBDIVISION AND ALL OF CERTIFIED SURVY MAP NO. 7683 INCLUDING THE ALLEY (NOW VACATED) ALL LOCATED IN THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 31, TOWN 7 NORTH, RANGE 22 EAST, CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

CERTIFICATE OF CITY TREASURER
STATE OF WISCONSIN)
MILWAUKEE COUNTY)SS

I, Wayne F. Whittow, being the duly elected, qualified and acting City Treasurer of the City of Milwaukee, certify that in accordance with the records in the Office of the City Treasurer of the City of Milwaukee there are no unpaid taxes or unpaid special assessments on the land included in this Certified Survey Map.

Date: _____

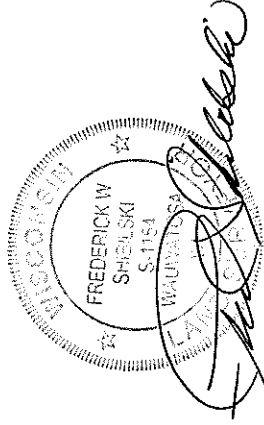
Wayne F. Whittow, City Treasurer

COMMON COUNCIL CERTIFICATE OF APPROVAL

I certify that this Certified Survey Map was approved under Resolution File No. _____, adopted by the Common Council of the City of Milwaukee on _____, 20____.

Ronald D. Leonhardt, City Clerk

Tom Barrett, Mayor



April 14, 2010

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

Dear Committee Members:

File No. 091155 approves a final Certified Survey Map for property located at 916 South Cesar E. Chavez Drive, and 1540, 1542, 1546 and 1550 West Mineral Street for expansion of a parking lot for existing business and dedication of land for public purposes, in the 12th Aldermanic District.

This file approves a final Certified Survey Map that combines five parcels into one for expansion of a parking lot for an existing business (El Rey), and dedicates land for the relocation of a north-south alley leg.

Since the proposed final Certified Survey Map complies with City plans for the area, the City Plan Commission at its regular meeting on April 12, 2010, recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Witkowiak

NOTICES SENT TO FOR FILE : 091155

[illegible]



Legislation Details (With Text)

File #: 091460 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/2/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution approving a final Certified Survey Map for property located at 1807 East Morgan Avenue for creation of a new residential lot and dedication of land for public purposes, in the 14th Aldermanic District.

Sponsors: THE CHAIR

Indexes: CERTIFIED SURVEY MAPS

Attachments: Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/4/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

091460

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution approving a final Certified Survey Map for property located at 1807 East Morgan Avenue for creation of a new residential lot and dedication of land for public purposes, in the 14th Aldermanic District.

Analysis

This resolution approves a final Certified Survey Map that divides one parcel, a portion of which is located in the City of St. Francis, into two lots for future residential construction and dedicates land for public street purposes.

Body

Whereas, The Milwaukee Code of Ordinances, Chapter 119-5, Subdivision Regulations, requires City Plan Commission ("CPC") approval, conditional approval or disapproval of all Certified Survey Maps ("CSMs"), which provide dedication of land to the City of Milwaukee ("City") for public purposes; and

Whereas, The City received one final CSM, a copy of which is attached to this Common Council File, which dedicates land to the City for public purposes; and

Whereas, In compliance with the above-referenced chapter of the Milwaukee Code of Ordinances, CPC has reviewed and recommended approval of said CSM; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the following CSM is approved:

OWNER'S NAME, DCD NO., TAX KEY NO.

Susan M. Ahl, DCD No. 2803, Tax Key No. 546-9979-110

Drafter

DCD:KDC:kdc

03/02/10/A

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 03/02/10

FILE NUMBER:

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution approving a final Certified Survey Map for property located at 1807 East Morgan Avenue for creation of a new residential lot and dedication of land for public purposes, in the 14th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, DCD

C) CHECK ONE: ☐ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES

☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.

☒ NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: ☐ DEPARTMENT ACCOUNT(DA) ☐ CONTINGENT FUND (CF)

☐ CAPITAL PROJECTS FUND (CPF) ☐ SPECIAL PURPOSE ACCOUNTS (SPA)

☐ PERM. IMPROVEMENT FUNDS (PIF) ☐ GRANT & AID ACCOUNTS (G & AA)

☐ OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

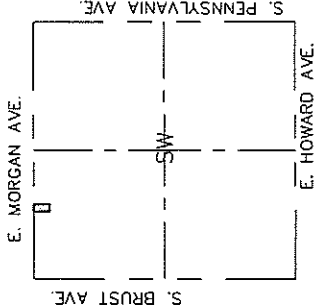
MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 15, TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE AND THE CITY OF ST. FRANCIS, MILWAUKEE COUNTY, WISCONSIN.

CITY OF MILWAUKEE TAX KEY NO: 546-9979-110
CITY OF MILWAUKEE ZONING: RS6

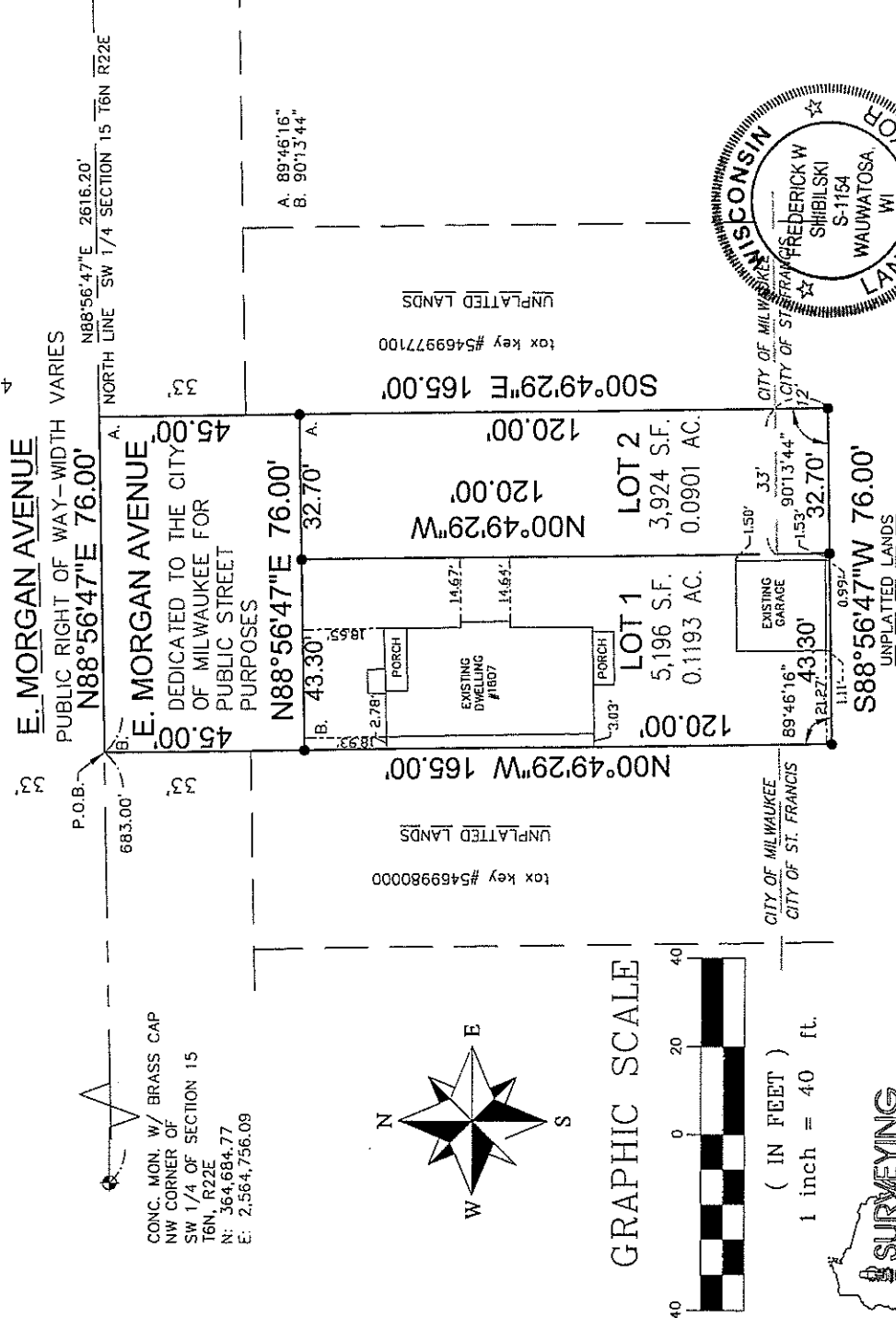
OWNER:
SUSAN M. AHL
1807 E. MORGAN AVE.
MILWAUKEE, WI 53207

ALL BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 15-6-22, WHICH IS ASSUMED TO BEAR N88°56'47"E, STATE PLANE COORDINATE SYSTEM SOUTH ZONE, JAN. 2005 DATUM.

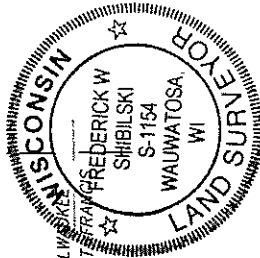


LOCATION SKETCH
SW 1/4 SECT. 15-6-22
SCALE: 1" = 2000'

- -- DENOTES SET 3/4" X 18" LONG IRON REBAR WEIGHING A MINIMUM OF 1.13 LBS PER LINEAL FOOT.
- -- DENOTES FOUND 1" IRON PIPE



SURVEYING ASSOCIATES, INC.
FREDERICK W. SHIBILSKI
2554 N. 100th STREET
WAUWATOSA, WI 53226
PHN 414-257-2212
FAX 414-257-2443



[Signature]
FREDERICK W. SHIBILSKI S-1154

INSTRUMENT DRAFTED BY: DAPHNE WILLIAMS OCTOBER 12, 2009 JOB NO. 32960 CSM SHEET 1 OF 3

INFRASTRUCTURE SERVICES DIVISION	
MARIA CORNELL <i>3/18/10</i>	
CENTRAL DRAFTING & RECORDS MANAGER	
<i>3/18/10</i>	<i>3/18/10</i>
ENGINEER IN CHARGE	ENVIRONMENTAL ENGR.
<i>[Signature]</i>	<i>[Signature]</i>
CITY ENGINEER	APPROVED

DID #2803

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A PART OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ SECTION 15, TOWN 6 NORTH, RANGE 22 EAST,
IN THE CITY OF MILWAUKEE AND THE CITY OF ST. FRANCIS, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE STATE OF WISCONSIN) MILWAUKEE COUNTY) SS

I, Frederick W. Shibilski, a registered land surveyor do hereby certify:

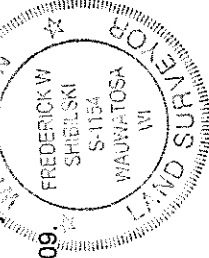
That I have surveyed, divided and mapped a part of the Northwest ¼ of the Southwest ¼ Section 15, Town 6 North, Range 22 East, in the City of Milwaukee and the City of St. Francis, Milwaukee County, Wisconsin, being more particularly described as follows: Commencing at the Northwest corner of the Southwest ¼ of Section 15; thence North 88° 56' 47" East along the North line of said ¼ Section, 683.00 feet to the point of beginning of the land to be described; thence North 88° 56' 47" East, 76.00 feet; thence South 00° 49' 29" East, 165.00 feet; thence South 88° 56' 47" West, 76.00 feet; thence North 00° 49' 29" West, 165.00 feet to the point of beginning. ...Dedicating the North 45' feet ... for public street purpose (East Morgan Avenue). Containing 9,120.00 square feet (0.209 acres) of land.


I further certify that I have made such survey, land division and map by the order and direction of Susan Marie Ahl, owner of said land;

That this map is a correct representation of all exterior boundaries of land surveyed and the land division thereof made;

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Chapter 119 of the Milwaukee Code and the Regulations of the City of St. Francis in surveying, dividing and mapping the same.

Dated this 9th day of December 2009.




Frederick W. Shibilski S-1154
Wisconsin Reg. Land Surveyor

OWNERS CERTIFICATE:

Susan Marie Ahl, as owner, does hereby certify that she caused the land described on this map to be surveyed, divided, and mapped as represented on this map in accordance with the requirements of Chapter 119 of the Milwaukee Code of Ordinances and the Regulations of the City of St. Francis.

In consideration of the approval of this map by the Common Council, and in accordance with Chapter 119 of the Milwaukee Code of Ordinances, the undersigned agrees:

- a. That all utility lines to provide electric power and telephone services and cable television or communications systems lines or cables to all parcels in the certified survey map shall be installed underground in easements provided therefor, where feasible.

This agreement shall be binding on the undersigned and assigns.

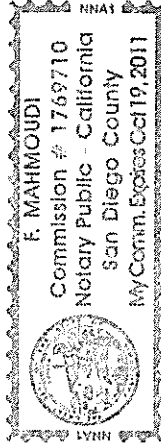
IN WITNESS WHEREOF, Susan Marie Ahl, at Del Norte, CA, on this
31st day of December, 2009.

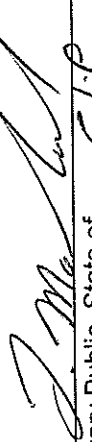
In the Presence of:


SUSAN MARIE AHL

STATE OF Calif. COUNTY) SS
San Diego

Personally came before me this 31 day of December, 2009, the above named
Susan Marie Ahl, to me known to be the person who executed the foregoing instrument and acknowledged the same.




Notary Public, State of Calif.
My Commission expires 10-19-2011

MILWAUKEE COUNTY CERTIFIED SURVEY MAP NO. _____

BEING A PART OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ SECTION 15, TOWN 6 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE AND THE CITY OF ST. FRANCIS, MILWAUKEE COUNTY, WISCONSIN.

CERTIFICATE OF CITY TREASURER

STATE OF WISCONSIN)
MILWAUKEE COUNTY)SS

I, Wayne F. Whitlow, being the duly elected, qualified and acting City Treasurer of the City of Milwaukee, certify that in accordance with the records in the Office of the City Treasurer of the City of Milwaukee there are no unpaid taxes or unpaid special assessments on the land included in this Certified Survey Map.

Date: 3-23-10

Wayne F. Whitlow
WAYNE F. WHITLOW, CITY TREASURER

COMMON COUNCIL CERTIFICATE OF APPROVAL

I certify that this Certified Survey Map was approved under Resolution File No. _____, adopted by the Common Council of the City of Milwaukee on _____, 20____.

RONALD D. LEONHARDT, CITY CLERK

TOM BARRETT, MAYOR

PLANNING COMMISSION

Approved by the Plan Commission, City of St. Francis, this 25th day of February, 2010.

Alan D. Richards
ALAN RICHARDS, MAYOR

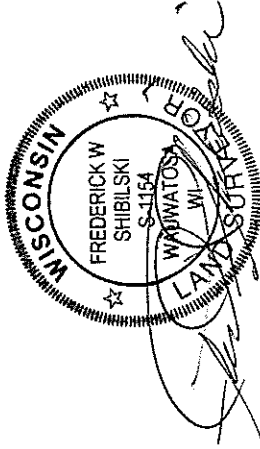
Melinda K. Dejewski
MELINDA DEJEWSKI, SECRETARY

COMMON COUNCIL APPROVAL

Approved by the Common Council, City of St. Francis this 17th day of March, 2010.

Alan D. Richards
ALAN RICHARDS, MAYOR

Anne B. Uecker
ANNE B. UECKER, CITY CLERK



April 14, 2010

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

Dear Committee Members:

File No. 091460 approves a final Certified Survey Map for property located at 1807 East Morgan Avenue for creation of a new residential lot and dedication of land for public purposes, in the 14th Aldermanic District.

This file approves a final Certified Survey Map that divides one parcel, a portion of which resides in the City of St. Francis, into two lots for future residential construction, and dedicates land for public street purposes.

Since the proposed final Certified Survey Map complies with City plans for the area, the City Plan Commission at its regular meeting on April 12, 2010, recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Zielinski

NOTICES SENT TO FOR FILE : 091460

[illegible]



Legislation Details (With Text)

File #: 091461 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 3/2/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance relating to the change in zoning from Detailed Planned Development to Two-Family Residential on land located South of East Pleasant Street and East of North Jackson Street, for two-family residential development on two lots, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

Indexes: ZONING, ZONING DISTRICT 03

Attachments: Proposed Zoning Change Map.jpg, City Plan Commission Letter.pdf, Affidavit for Zoning Change.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/4/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
4/6/2010	1	CITY CLERK	DRAFT SUBMITTED		
4/12/2010	1	CITY CLERK	PUBLISHED		
4/19/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/19/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

091461

Version

SUBSTITUTE 1

Reference

070593

Sponsor

THE CHAIR

Title

A substitute ordinance relating to the change in zoning from Detailed Planned Development to Two-Family Residential on land located South of East Pleasant Street and East of North Jackson Street, for two-family residential development on two lots, in the 3rd Aldermanic District.

Analysis

This zoning change was initiated by the owner, Elan Peltz, and will change the zoning from a Detailed Planned Development for 6 condominiums back to the previous Two-Family Residential zoning for the property. This change will allow the applicant to develop two residential units on each of the two lots.

Body

Resolved, That the Mayor and Common Council of the City of Milwaukee, do ordain as follows:

Part 1. There is added to the Milwaukee Code of Ordinances a new section to read as follows:

Section 295-501.2(c).0007. The zoning map is amended to change the zoning for the area bounded and described as follows: A line 210 feet North and parallel to the north line of East Lyon Street, a line 127.53 feet East and parallel to the east line of North Jackson Street, a line 295 feet North and parallel to the north line of East Lyon Street, a line 92 feet East and parallel to the east line of North Jackson Street, a line 270 feet North and parallel to the north line of East Lyon Street, and the east line of North Jackson Street, from Detailed Planned Development (DPD) to Two-Family Residential (RT4).

Drafter





DCD:AJF:ajf

04/01/10

FN 091461
DPD to RT4
March 2010

 Proposed Zoning Change

Residential Districts

-  Single Family (RS1-6)
-  Two-Family (RT1-4)
-  Multi-Family (RM1-7)
-  Residential and Office (RO1-2)


Commercial Districts

-  Neighborhood Shopping (NS1-2)
-  Local Business (LB1-2)
-  Commercial Service (CS)
-  Regional Business (RB1-2)
-  Central Business (C9A-C9H)

Industrial Districts

-  Industrial - Office (IO)
-  Industrial - Light (IL1-2)
-  Industrial - Mixed (IM)
-  Industrial - Heavy (IH)

Special Districts

-  Parks (PK)
-  Institutional (TL)
-  Planned Development (PD, DPD)
-  Redevelopment (RED)



Data source: Department of City Development 2009

March 23, 2010

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

Dear Committee Members:

File No. 091461 relates to the change in zoning from Detailed Planned Development (DPD) to Two-Family Residential (RT4) on land located South of East Pleasant Street and East of North Jackson Street, in the 3rd Aldermanic District.

This zoning change is initiated by the owner, Elan Peltz, and will change the zoning from a DPD, which allowed for 6 condominiums, back to the previous Two-Family Residential (RT4) zoning for the property. This change will allow the applicant to develop two residential units on each of the two lots.

On March 22, 2010, a public hearing was held and at that time nobody spoke in opposition. The Commissioners raised concerns about changing the zoning and relinquishing rights for increased density on the site. The developer indicated that the underlying zoning would provide them the most flexibility and consistency with the existing context. The CPC were also concerned about losing design control. Since the proposed change complies with the Zoning Code and City plans for the area, the City Plan Commission at its regular meeting on March 22, 2010 recommended approval of the subject file. The CPC requested, as a matter of courtesy, for the file to return to CPC for informational purposes only, to show them the design.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Nik Kovac

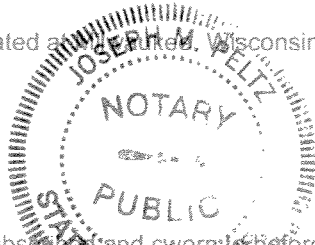
Affidavit for Zoning Change

1. POLICY (s. 295-313). Each applicant for a zoning map amendment or approval of a planned development, and each applicant for a use variance or special use permit, shall submit to the city plan commission or the board of zoning appeals, as the case may be, a signed affidavit indicating whether the applicant is: (NOTE: DISCLOSE ALL RELEVANT AND REQUIRED INFORMATION ON A SEPARATE SHEET AND ATTACH TO THIS SHEET UPON SUBMITTAL)
- a. Delinquent in the payment of any property tax, special assessment, special charge or special tax due to the city, provided that all appeals of the tax, assessment or charge have been concluded or the time to appeal has expired. YES NO ✓
 - b. A party against whom the city has an outstanding judgment, provided that all appeals of the judgment have been concluded or the time to appeal has expired. YES NO ✓
 - c. A party against whom the city has outstanding health or building and zoning code violations or orders from the commissioner of health or commissioner of neighborhood services that are not actively being abated, provided that all appeals of orders to correct violations have been concluded or the time to appeal has expired. YES NO ✓
 - d. A party who has been convicted of violating an order of the commissioner of health or commissioner of neighborhood services within the past year, provided that all appeals of the conviction have been concluded or the time to appeal has expired. YES NO ✓
 - e. The owner of premises found to be in violation of s. 80-10 to whom the commissioner of neighborhood services has charged the costs of police enforcement pursuant to s. 80-10-4, provided that all appeals of these charges have been concluded or the time to appeal has expired. YES NO ✓

2. NON-INDIVIDUAL APPLICANTS

- a. Corporations. If the applicant is a corporation, a duly authorized officer or director of the corporation shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each officer and director of the corporation as well as each shareholder owning 5% or more of voting stock, fits any of the descriptions in sub. 1-a to e.
- b. Partnerships. If the applicant is a partnership or limited partnership, a duly authorized partner, general partner or limited partner shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each partner, general partner and limited partner fits any of the descriptions in sub. 1-a to e.
- c. Limited Liability Companies. If the applicant is a limited liability company, a duly authorized member or manager of the company shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each member and manager of the company fits any of the descriptions in sub. 1-a to e.
- d. Nonstock Corporations. If the applicant is a nonstock corporation, a duly authorized officer or director of the corporation shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each officer and director of the corporation fits any of the descriptions in sub. 1-a to e.

Dated and sworn to in Wisconsin, this 18th day of February, 2010.



Elan Beltz
Petitioner (signature)

Elan Beltz, Owner
(print name, relationship to project)

Subscribed and sworn to before me

This 18th day of February, 2010

Notary Public, State of Wisconsin

My commission expires: is permanent

Office Use Only: File no 091461

NOTICES SENT TO FOR FILE : 091461

[illegible]



Legislation Details (With Text)

File #: 091372 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 2/9/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.

Sponsors: ALD. BAUMAN, ALD. BOHL

Indexes: AMERICAN RECOVERY AND REINVESTMENT ACT, RECYCLING, SOLID WASTE DISPOSAL

Attachments: Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO	Pass	13:2
2/9/2010	0	CITY CLERK	Sponsor added		
2/17/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/17/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/17/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/23/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/31/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/7/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number

091372

Version

ORIGINAL

Reference

Sponsor

ALD. BAUMAN and ALD. BOHL

Title

Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.

Analysis

This resolution temporarily suspends razing and demolition activities which are funded by NSP Phase 1 and 2, until the Department of Neighborhood Services has developed a pilot program for building recycling (deconstruction) that would be funded by the NSP Phase 1 and 2 demolition funds. Included in these modifications are bonding and insurance requirements as well as any other provisions which impede or discourage deconstruction activities. Two exceptions are made to the temporary suspension: executed contracts where the city has sent the contractor a notice to proceed, and demolition necessitated by emergency circumstances.

Body

Whereas, The City of Milwaukee has received \$1,312,500 for demolition of foreclosed homes and blighted properties in target areas through the Housing and Economic Recovery Act of 2009, known as NSP Phase 1 funds; and

Whereas, A portion of the NSP Phase 1 home demolition money was ear-marked for deconstruction activities; and

Whereas, No deconstruction activities have taken place due to the bidding requirements, including bonding and insurance, of the City's Department of Neighborhood Services; and

Whereas, An additional \$2,012,000 has been awarded to the City for demolition as part of the National Economic Stimulus Package, known as NSP Phase 2; and

Whereas, These additional funds offer further opportunities for deconstruction projects; and

Whereas, Deconstruction projects allow for reclamation and recycling of building materials as opposed to adding to land fill, as well as creating job training opportunities; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that razing and demolition activities, funded by NSP Phase 1 and 2, be temporarily suspended until the Department of Neighborhood Services has developed a pilot program for building recycling (deconstruction) that would be funded by the NSP Phase 1 and 2 demolition funds; and, be it

Further Resolved, That razing and demolition activities, funded by NSP Phase 1 and 2, shall not be resumed until the Department of Neighborhood Services submits its pilot program for building recycling (deconstruction) to the Common Council for review and approval; and, be it

Further Resolved, That two exceptions are made to the temporary suspension: executed contracts

where the city has sent the contractor a notice to proceed, and demolition necessitated by emergency circumstances.

Requestor

Drafter

LRB10055-1

MET

2/3/10

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 02/22/10

FILE NUMBER: 091372

Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.

B) SUBMITTED BY (Name/title/dept./ext.): Tobie Black/Staff Assistant/City Clerk's Office/X2231

C) CHECK ONE: ☐ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
☒ NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: ☐ DEPARTMENT ACCOUNT(DA) ☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF) ☐ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF) ☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

NOTICES SENT TO FOR FILE: 091372

[illegible]