City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda - Final

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, October 6, 2009 | **9:00 AM** | **Room 301-B, City Hall**

1. **090715** Appointment of Sheldon Oppermann to the Standards and Appeals Commission by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

Attachments: Appointment Letter
Resume
Hearing Notice List

2. **090716** Appointment of Allyson Nemec to the Historic Preservation Commission by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

Attachments: Appointment Letter
Resume
Hearing Notice List

3. **090706** Resolution directing the Commissioner of City Development to prepare amendments to project plans for tax incremental districts likely to be closed out in 2011 or 2012.

Sponsors: Ald. Bohl

Attachments: Fiscal Note
Hearing Notice List

4. **090216** Substitute ordinance relating to a change in zoning from General Planned Development to a Detailed Planned Development known as Shiloh Manor, for a 45-unit housing development for seniors, on land located East of North Dr. Martin Luther King Jr. Drive and South of West Keefe Avenue, in the 6th Aldermanic District.

Sponsors: Ald. Coggs

Attachments: Exhibit A as of 9-24-09
Exhibit A Continued as of 9-24-09
Proposed Zoning Change Map
City Plan Commission Letter
Affidavit for Zoning Change
Updated Landscape Plan
Notice Published 9-21-09 and 9-28-09
Hearing Notice List

5. **090700** Resolution approving the blight designation and acquisition of the City-owned brownfield at 1027 North Edison Street for acquisition and remediation by the Redevelopment Authority of the City of Milwaukee, authorizing assignment to the Redevelopment Authority of the City's Option to Purchase with Edison Green, LLC and authorizing acceptance of public access and utility easements, in the 4th Aldermanic District.

Sponsors: Ald. Bauman

Attachments: Blight Desgination Summary and Land Disposition Report.pdf
Fiscal Analysis
Fiscal Note.doc
Hearing Notice List

6. **090702** Resolution approving the blight designation and acquisition of the privately owned property at 1922-24 North 39th Street and the City-owned lot at 1926 North 39th Street to assemble the land for future housing development, in the 15th Aldermanic District.

Sponsors: Ald. Hines Jr.

Attachments: Blight Designation Summary.pdf
Fiscal Note.doc
Hearing Notice List

7. **090235** Substitute resolution approving a Grant Agreement and providing funding for improvements to 608 West Mitchell Street in Tax Incremental District No. 71, Mitchell Street, in the 12th Aldermanic District.

Sponsors: Ald. Witkowiak

Attachments: Proposed Sub A
Photo-Current Facade
Elevation-New Facade
Grant Agreement as of 9-28-09
Fiscal Analysis
Substitute Fiscal Note
Fiscal Note
Hearing Notice List

9:30 A.M.

8. **090419** Substitute ordinance relating to the Fourth Amendment to a Detailed Planned Development known as Lapham Park, to allow up to 244 dwelling units in the high-rise building, on land located north of West Vine Street and west of North 6th Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR

Attachments:
- Exhibit A as of 9-21-09
- Exhibit A Continued as of 9-21-09
- Proposed Zoning Change Map
- Vicinity Map
- City Plan Commission Letter
- Notice Published 9-21-09 and 9-28-09
- Hearing Notice List

9. **090396** An ordinance relating to zoning district boundary descriptions.

Sponsors: THE CHAIR

Attachments:
- Proposed Substitute A
- City Plan Commission Letter
- Zoning Code Technical Committee Letter
- Minutes of the September 16th ZCTC Meeting
- Hearing Notice List

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.

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090715 **Version:** 0		
Type:	Appointment	**Status:**	In Committee
File created:	9/22/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			
Title:	Appointment of Sheldon Oppermann to the Standards and Appeals Commission by the Mayor. (4th Aldermanic District)		
Sponsors:	THE CHAIR		
Indexes:	APPOINTMENTS, STANDARDS AND APPEALS BOARD		
Attachments:	Appointment Letter, Resume, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090715
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Appointment of Sheldon Oppermann to the Standards and Appeals Commission by the Mayor. (4th Aldermanic District)
Drafter
Mayor
TB
9/22/09

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September 22, 2009

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Mr. Sheldon Oppermann, 3248 North Cambridge Avenue, Milwaukee, Wisconsin, 53211, to fill the vacant position of Property Management Representative on the Standards and Appeals Commission. This appointment is pursuant to Section 200-17 of the Milwaukee Code of Ordinances. Mr. Oppermann's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

Tom Barrett
Mayor

Sheldon S. Oppermann

735 N Water Street, Suite 735
Milwaukee, WI 53202
Phone: 414-765-0305
Email: sheldon@compassproperties.com

Related Professional Experience

Compass Properties LLC, Milwaukee (Aug 2004 to Present),

Vice President (Aug 2007 – present), Regional Manager (June 05 – July 2007)

- Property Management and Development Division of the Noel Group
- Portfolio wide operations management including facilities, accounting compliance, and tenant relations
- Development opportunity creation, analysis and pursuit
- Acquisition of public assistance, TIF district creation and negotiation for development projects
- All Tenant Build Out design, bidding, negotiation, contracting, construction management and occupancy
- Commercial Property Management – 15 buildings / 1,000,000 sq ft
- Management of a diverse full time staff of property management personnel who handle daily functions
- All capital improvement and facilities management decisions, analysis, compliance and construction management
- Recruitment, team leadership, and performance evaluation of all staff
- Building Owner and Managers Association - Office Building of the Year award 05-06 & 06-07 & 07-08
- All lease negotiation and decision analysis for each investment in capital or tenant improvement
- Companywide asset purchase and sale decisions in conjunction with CFO

Special Projects (August 2006 – June 2008)

- The Palladian (Wausau)
  - Plan revision and complete construction and contract compliance management
  - Complete third party development of a 6 story mixed use development including permitting
  - All contract negotiation and design development - $13 million budget
  - All financing negotiation and project accounting, including bank draw requests
  - Construction on schedule and on budget, completed June 2008

Manager (Aug 2004 – June 2005)

- Commercial Property Management 3 buildings / 462,000 square feet
- Leadership of transition to internal self management from a terminated Third Party contractor
- Redevelopment planning for a struggling downtown Milwaukee office building

Tyndale Group LLC, Milwaukee (March 2007 to Present),

Managing Partner / President (founded June 2007 - Present)

- Private Client real estate development services including
  - Site selection services
  - Proforma creation and performance analysis
  - Contract bidding and negotiation
  - Construction management and owner's representative services
  - Leasing assistance and negotiation
  - Contract negotiation and conflict resolution

Projects (March 2007 – present)

- El Paseo Plaza – Palm Springs, CA – project ongoing
  - Complete Historical Renovation
  - Redevelopment plan and execution
  - All contract negotiation and construction management over $1,000,000
  - All project accounting, including bank draw requests
  - Construction on schedule and on budget, completion target August 2008
- University Club Tower – Milwaukee, WI - project stalled
  - Bidding Negotiation and Project Management
  - Contract Dispute resolution
- Alvarado Park – Arlington, CA – project ongoing
  - Future Subdivision of vacant lot.
  - Project Proforma and Analysis

Sheldon S. Oppermann

Phone: 414-765-0305
Email: sheldon@compassproperties.com

Related Professional Experience – continued

Renner Architects, Milwaukee (1999 to July 2004),

Controller

- Company goal setting, planning and execution in order to achieve financial and quality control objectives
- Compilation, reporting, and analysis of all Financial Statements for company objectives
- Recruitment, team leadership, and performance evaluation of administrative support and professional staff
- Real estate management of 80,000 square feet commercial office space – Milwaukee and Grafton
- Accounting and record keeping for multiple business entities including real estate services, parking and hydro electric power generation

Special Project – company owned - The Waterfront Condominiums 60 Units – Treasurer, Project Manager

- Proforma and business plan operating budget – creation and regular evaluation
- Construction Management - $14 million budget. Product delivery from customized build out to occupancy
- Drawing and specification review and management of modifications
- Importing of construction materials from Eastern European vendors
- Creation, implementation and management of all accounting / reporting / control systems
- All reporting, submissions, and reconciliation for contracting, purchasing, sales and bank draw purposes.

Special Project – company owned - East Troy Point Shell – Treasurer, Project Manager

- Proforma, business plan, operating budget for a $3 million dollar annual revenue, high profile travel center and fueling facility – creation and regular evaluation of existing operation
- Store design, contract negotiations, McDonald's tenant lease, recruit and retention of manager
- Creation and Management of all accounting / reporting / control systems
- Oversight of continuing operations, continuous business and strategy review and improvement

Education

BS Architecture	University of Wisconsin – Milwaukee (1998)
MBA	University of Wisconsin – Milwaukee (2001)
MS Accounting	University of Wisconsin – Milwaukee (in progress)
Seven Habits	Stephen Covey - 5 day course certified (2005)
CPM	Institute of Real Estate Managers (IREM) - Commercial Property Manager Designation
Realtor	Wisconsin Broker's License application pending (2009)

Organizations and Affiliations

Boy Scouts of America	Eagle Scout and involvement through Project Cope - Camp Director
Building Owners and Managers Association	Board of Directors (2006 – present)
Rebuilding Together	House Captain - home rehabilitation projects for the disadvantaged
City of Milwaukee – BID #9	President
Institute of Real Estate Managers	Member
City of Milwaukee Downtown Master Plan	Contributing Advisory Group Member
Commercial Association of Realtors WI	Member
Cambridge Woods Neighborhood Association	Member

NOTICES SENT TO FOR FILE : 090715

NAME	ADDRESS	DATE NOTICE SENT		
Kim Montgomery	Mayor’s Office	10/1/09		
Sheldon Oppermann	sheldon@compassproperties.com	x		

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090716 **Version:** 0		
Type:	Appointment	**Status:**	In Committee
File created:	9/22/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			
Title:	Appointment of Allyson Nemec to the Historic Preservation Commission by the Mayor. (4th Aldermanic District)		
Sponsors:	THE CHAIR		
Indexes:	APPOINTMENTS, HISTORIC PRESERVATION COMMISSION		
Attachments:	Appointment Letter, Resume, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090716
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Appointment of Allyson Nemec to the Historic Preservation Commission by the Mayor. (4th Aldermanic District)
Drafter
Mayor
TB
9/22/09

powered by Legistar™

September 22, 2009

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Ms. Allyson Nemec, 2928 West State Street, Milwaukee, Wisconsin, 53208, to replace Ms. Sandra McSweeney on the Historic Preservation Commission. This appointment is pursuant to Section 308-81-3 of the Milwaukee Code of Ordinances. Ms. Nemec's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

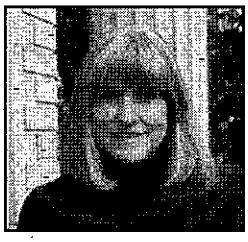
Tom Barrett

Tom Barrett
Mayor

Principal Designer •
LEED Accredited Professional •

Allyson Nemec, AIA

Wisconsin Registered Professional Architect #A-7154
Founded Quorum Architects, Inc. as Principal in 1993



Allyson has a diverse academic and professional background. Her studies in Architectural History and professional experience in historic preservation architecture make her well-suited for coordinating the architectural and engineering services on renovation and adaptive re-use projects.

Allyson has developed Quorum Architects approach to commercial architectural services, which centers on their specialization in programming and understanding the client's business and organization. Allyson is a careful and efficient programmer. She is involved in the schematic design and design development of the firms' projects. In this capacity she has handled many tenant build-outs for various independent renovation and new construction clients.

Allyson has been very involved in the Milwaukee community, including her role as Past President of the AIA Wisconsin, acting Secretary of the UWM Alumni Association, President of the Next Act Theater advisory board, member of the Uptown BID Board, and active membership in the Historic Concordia Neighborhood Association.

As a whole, our firm practices sustainable design, we believe that revitilizing existing buildings for new appropritate uses is the most sustainable approach to urban redesign. As a LEED Accredited Professional, Allyson is knowledgeable in environmentally sensitive a materials and systems and integrates them into the design process.

Education •

Master's Degree, Architecture:
University of Wisconsin-Milwaukee 1990.

Bachelor of Architectural History:
University of Virginia, 1987.

Specialized Experience •

Preservation Architect, John Milner Associates, Philadelphia PA

Specialized Education •

Stabilization & Maintenance of Historic Structures
Campbell Center for Historic Preservation Studies
Mount Carroll, Illinois, 1992

Leadership in Energy and Environmental Design - Green Building Rating System, US Green Building Alliance, 2001

Relevant Project Experience •

- Milwaukee County, Washington Park Revitalization Plan, Milwaukee WI
- Milwaukee County, Gordon Park Community Pavilion Milwaukee, WI
- Milwaukee County, David Schulz Aquatic Center at Lincoln Park Milwaukee, WI
- Lions Legend Park Historic Site , Franklin, WI
- Barclay Gallery & Cafe, Milwaukee, WI
- Monroe Building, Milwaukee WI
- The Renaissance Building Milwaukee, WI
- Public Art Administrator, Milwaukee County Percent for the Arts Program, Milwaukee WI
- LISC, Facade Studies for Various Buildings Milwaukee, WI
- Wirth & Hammel Stable Shops Milwaukee, WI
- City of Milwaukee, City Attorney Office Renovation Milwaukee, WI
- Milwaukee World Festival Various Master Plan Projects, Milwaukee, WI
- Historic King Drive BID Streetscape Improvement Plan Milwaukee, WI
- Wirth & Hammel Stable Shops Milwaukee, WI
- Sherman Perk Cafe Milwaukee, WI
- Irish Fest Offices Wauwatosa, WI

Quorum Architects, Inc.

Architectural Design • Interior Design • Site Design

3112 West Highland Blvd • Milwaukee, Wisconsin 53208 • ph. 414-265-9265 • fax. 414-265-9465 • www.quorumarchitects.com

NOTICES SENT TO FOR FILE : 090716

NAME	ADDRESS	DATE NOTICE SENT		
Kim Montgomery	Mayor's Office	10/1/09		
Allyson Nemec	ALLYSON@QUORUMARCHITECTS.COM	x		

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090706 **Version:** 0		
Type:	Resolution	**Status:**	In Committee
File created:	9/22/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			
Title:	Resolution directing the Commissioner of City Development to prepare amendments to project plans for tax incremental districts likely to be closed out in 2011 or 2012.		
Sponsors:	ALD. BOHL		
Indexes:	DEPARTMENT OF CITY DEVELOPMENT, STREET IMPROVEMENTS, TAX INCREMENTAL DISTRICTS, TAX INCREMENTAL FINANCING		
Attachments:	Fiscal Note, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090706
Version
ORIGINAL
Reference

Sponsor
ALD. BOHL
Title
Resolution directing the Commissioner of City Development to prepare amendments to project plans for tax incremental districts likely to be closed out in 2011 or 2012.
Analysis
This resolution directs the Commissioner of City Development to prepare, for tax incremental districts 34, 40, 42, 47 and 55 (the districts likely to be closed out in 2011 or 2012) an amendment to the project plan for each district such that the project plan includes, in the "statement of the kind, number, location of all proposed public works or improvements" and the "detailed list of estimated project costs" required by s. 66.1105(4)(f), Wis. Stats., all street-paving projects anticipated to occur within the district or within one half-mile of the district's boundaries in 2011, 2012, 2013, 2014, 2015 or 2016, as identified by the City's most current 6-year local street paving program. Street-paving projects shall be added to the project plan for a tax incremental district only to the extent that the additional project costs can be recovered within the maximum statutory tax incremental district lifespan of 27 years.

The Commissioner of City Development shall prepare these project plan amendments and submit them to the Common Council for review and approval within 60 days of the date of adoption of this resolution.
Body
Whereas, Section 66.1105(2)(f), Wis. Stats., allows for tax incremental financing to be used to fund the costs of public works or improvements outside a tax incremental district ("TID") but within one-half mile of the district's boundaries; and

Whereas, This statutory provision presents an opportunity for the City of Milwaukee to use tax incremental financing to fund street paving and construction projects within one-half mile of TID boundaries, thereby freeing up street paving dollars in the City's regular capital budget for use on street projects in areas more than one-half mile from a TID; and

Whereas, To fund street projects in this manner, the project plan for an active TID could be amended to include some or all street-paving projects anticipated to occur within the TID or within one-half mile of the TID's boundaries within the next 6 years, as identified by the City's most current 6-year local street paving program; and

Whereas, The Department of City Development has indicated that 5 TIDs -- Nos. 34, 40, 42, 47 and 55 -- are likely to close out in 2011, with no additional districts expected to close out in 2012; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of City Development is directed to prepare, for tax incremental districts 34, 40, 42, 47 and 55, an amendment to the project plan for each TID such that the project plan includes, in the "statement of the kind, number, location of all proposed public works or improvements" and the "detailed list of estimated project costs" required by s. 66.1105(4)(f), Wis. Stats., all street-paving projects anticipated to occur

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within the TID or within one half-mile of the TID's boundaries in 2011, 2012, 2013, 2014, 2015 or 2016, as identified by the City's most current 6-year local street paving program; and, be it

Further Resolved, That the Commissioner of City Development is directed to consult with the City Engineer to identify street-paving projects on the City's most current 6-year local street paving program that are located in, or within one-half mile of, these 5 TIDs; and, be it

Further Resolved, That street-paving projects shall be added to the project plan for a TID only to the extent that the additional project costs can be recovered within the maximum TID lifespan of 27 years; and, be it

Further Resolved, That, if a TID's project plan can be amended to absorb some but not all of the street-paving projects on the 6-year local street paving program without extending the life of the TID beyond 27 years, the Commissioner of City Development and the City Engineer shall together identify the street-paving projects that are most appropriate for inclusion in the project plan amendment; and, be it

Further Resolved, That the Commissioner of City Development shall prepare these TID project plan amendments and submit them to the Common Council for review and approval within 60 days of the date of adoption of this resolution.

Requestor

Drafter
LRB09400-1
JDO
09/22/2009

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CC-170 (REV. 6/86)

CITY OF MILWAUKEE FISCAL NOTE

A) DATE October 2, 2009 **FILE NUMBER:** 090706

Original Fiscal Note [x] Substitute [ ]

SUBJECT: Resolution directing the Commissioner of City Development to prepare amendments to project plans for tax incremental districts likely to be closed out in 2011 or 2012.

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.
- [x] NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] OTHER (SPECIFY)
- [ ] CONTINGENT FUND (CF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] GRANT & AID ACCOUNTS (G & AA)

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**.

[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 3-5 YEARS	

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

Implementation of the TID amendments will involve costs and revenues, and will be detailed in the fiscal notes and amendments when considered in the future

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE [ ]

NOTICES SENT TO FOR FILE : 090706

NAME	ADDRESS	DATE NOTICE SENT		
Jim Scherer	DCD	10/1/09		
Ald. Bohl	CC-CC	x		
Jeff Osterman	LRB	x		
Jeff Polenske	City Engineer	x		

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090216 **Version:** 1		
Type:	Ordinance	**Status:**	In Committee
File created:	6/16/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			

Title: Substitute ordinance relating to a change in zoning from General Planned Development to a Detailed Planned Development known as Shiloh Manor, for a 45-unit housing development for seniors, on land located East of North Dr. Martin Luther King Jr. Drive and South of West Keefe Avenue, in the 6th Aldermanic District.

Sponsors: ALD. COGGS

Indexes: HOUSING, PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 06

Attachments: Exhibit A as of 9-24-09, Exhibit A Continued as of 9-24-09, Proposed Zoning Change Map, City Plan Commission Letter, Affidavit for Zoning Change, Updated Landscape Plan, Notice Published 9-21-09 and 9-28-09, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/16/2009	0	COMMON COUNCIL	ASSIGNED TO		
6/18/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/14/2009	1	CITY CLERK	DRAFT SUBMITTED		
9/21/2009	1	CITY CLERK	PUBLISHED		
9/30/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/1/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/1/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090216
Version
SUBSTITUTE 1
Reference
071179
Sponsor
ALD. COGGS
Title
Substitute ordinance relating to a change in zoning from General Planned Development to a Detailed Planned Development known as Shiloh Manor, for a 45-unit housing development for seniors, on land located East of North Dr. Martin Luther King Jr. Drive and South of West Keefe Avenue, in the 6th Aldermanic District.
Analysis
This zoning change will allow for the construction of a four-story building with 45 units of housing for seniors.
Body
The Mayor and Common Council of the City of Milwaukee ("Common Council"), do ordain as follows:

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

Section 295-907(2)(c).0147.

(1) In accordance with the provisions of Section 295-907 of the Code relating to the establishment of planned development districts, the Common Council approves the subject Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for the area described and bounded as follows:

The zoning line along the right-of-way of North Dr. Martin Luther King Jr. Drive, the zoning line along the right-of-way of North Port Washington Avenue and the zoning line along the right-of-way of West Keefe Avenue from General Planned Development (GPD) to Detailed Planned Development (DPD).

(3) The requirements set forth in said detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or

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more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

Drafter
DCD:AJF:ajf
09/14/09

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Architecture
A Sense of Community

SHILOH MANOR AT FIVE POINTS
3418 N. Martin Luther King Jr. Drive
Milwaukee

DETAILED PLAN SUBMITTAL

Detailed Plan Project Description and Owners Statement of Intent

I. Project Overview

The Volunteers of America National Services ("Volunteers of America") and the Shiloh Tabernacle UHCA Church ("Shiloh Church") plan to jointly develop a 45 unit apartment building with services ("the Project") for low income seniors on a site located at 3418-3428 N. Martin Luther King Jr. Drive. There is currently a need for affordable, assisted living within the City of Milwaukee where there are a significant number of low-income seniors. The Wisconsin Housing and Economic Development Authority ("WHEDA") in cooperation with the Wisconsin Department of Health and Family Services ("DHFS") offers resources that allow developers to produce affordable rental housing with services so that seniors may stay independent and age in place. This is accomplished by coupling financing provided through WHEDA's 9% Low-Income Housing Tax Credit (LIHTC") program for the construction of a Residential Care Apartment Complex ("RCAC") with DHFS' Family Care program to bring in services to qualified residents. The Volunteers of America was awarded LIHTC's in April 2009.

A. The Partners

Volunteers of America ("VOA") will be the primary developer and owner of the property. VOA is a non-profit organization and is one of the nation's largest providers of affordable housing with thousands of units across the U.S. The Wisconsin affiliate of VOA has been in existence since 1929 and currently operates 157 units of housing. In fact, VOA owns and operates a 12 unit property at 3261 N. Martin Luther King Jr. Drive, a few blocks from the proposed site. Under the leadership of Jim Stewart, VOA Wisconsin President and CEO, the organization is expanding services to the frail elderly and disabled in the Milwaukee area.

Shiloh Church is a development partner and will coordinate the community outreach effort and provide spiritual services to the tenants. The Shiloh Church is located at 3436 N. Port Washington Road and owns the proposed project site located across the street from the church building. Shiloh Church has been operating in the Milwaukee community for 54 years. Reverend Charles Jordan is the leader of the 120 member congregation. Shiloh has a long history of service to the community going back to 1966 when the then leader, Lady Pitts, founded a school for unwed teens which continues within the MPS system today. Shiloh Church has operated a relocation program for Cuban refugees and a meal program for disadvantaged families in the neighborhood.

B. The Property

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The site is located at 3418-3428 N. Martin Luther King Jr. Drive in an area known as the Five Corners. Please note that the parcel located at the north end of the site at 3458 N. Martin Luther King Jr. Drive is owned by the City of Milwaukee and is currently being vacated. Upon vacation, the parcel will be joined with the parcels located at 3418-3428 N. Martin Luther King Jr. Drive.

The proposed development will consist of a 4-story structure with surface parking for up to 12 vehicles. The building will consist of 45 apartment units with 42-one bedroom units and 3-two bedroom units. Common areas will include a commercial kitchen, dining room, multipurpose room, computer lab, fitness room/wellness center, beauty/barber shop, laundry facilities, staff offices, outdoor garden area and sheltered patio. The majority of the common space will be located on the first floor. At least half of the building will be certified as a Residential Care Apartment Complex ("RCAC") and as such, will be regulated by the Wisconsin Department of Health and Family Services. An RCAC provides a combination of housing, meals and support services for people with long term care needs. This setting will provide a home-like, non-institutional environment where units are recognized as private residences and have all the features of a regular apartment unit.

There will be active programming in place for the residents of the building and, therefore, the majority of the common space will be on the first floor. As such, there will be no "blank walls" to the street, but rather significant transparency to bring light into the common space areas. Discussions have been held with the Clinton and Bernice Rose Senior Center located at 3045 N Martin Luther King Jr. Drive and Interfaith Older Adult Programs about opportunities for programming out of the Shiloh Manor building that would appeal to seniors who live in the surrounding neighborhood. Therefore, both the building design and programming will be developed to support the concept of aging in the community to encourage the building residents to stay involved in the neighborhood as well as presenting opportunities for the neighborhood to be involved with the building tenants.

C. The Tenants

The Project will be open to tenants who are 55 years of age and older and who have incomes of less than 60% of the County Median Income. All units will have some form of rent and income restriction in accordance with WHEDA's guidelines and those of other funding sources. The Project will serve a mix of independent seniors and those who require assisted living services in order to remain independent in the community.

Family Care is a Medicaid waiver program that pays for income-qualified frail seniors to receive services where they live. Seniors who qualify for Family Care will have on-site services provided to them either by VOA or other community providers as required.

D. The Operations

The Project will be managed by ACC Management Group which has a long history in the management of affordable housing developments and currently manages two tax credit projects in the Milwaukee area. ACC will be responsible for property management including building oversight and administration, rent collections and

billing, and maintenance. The on-site supportive services will be provided through a contract between Milwaukee County Department on Aging's Family Care program and VOA. ACC and the VOA will work closely together to resolve any resident and community issues that may arise.

II. Statistical Information

A. Gross land area: 30,286.41 sq. ft. or 0.695 acres.

B. Maximum amount of land covered by principal building: 11,280 sq. ft. or 0.25 acres.

C. Maximum amount of land devoted to parking, drives and parking structures: 7,012 sq. ft.

D. Minimum amount of land devoted to landscaped open space: 10,897 sq. ft. or 0.25 acres.

E. Maximum proposed dwelling unit density if residential and/or total square footage devoted to non-residential uses: 1 dwelling unit per 673 sq. ft. of land.

F. Proposed number of buildings: 1

G. Maximum number of dwelling units per building: 45

H. Bedrooms per unit: 42-one bedroom and 3-two bedroom

I. Parking spaces provided, whether surface or in structures and ratio per unit if residential or per thousand square feet of building are if non-residential: 12 surface spaces, which is .266 spaces per unit. It should be noted that tenants who live in the RCAC portion of the building and are receiving assisted living services are unlikely to drive. A van will be provided to offer transportation to those residents who are no longer driving.

III. District Standards

A. Uses
VOA and Shiloh Church, respectfully request the use allowed for this Planned Development including: residential multifamily, up to 45 units, with related community space, parking and supportive services.

B. Design Standards
The specific design standards to be applied to this project are included in the attached Site Plan.

C. Density
The Project is located within the Northeast Side Comprehensive Plan area. The Comprehensive Plan for this area of Milwaukee is under development and is anticipated to be completed in April 2008. Jim Stewart from VOA and Reverend

Charles Jordan from the Shiloh Church have been participating in Harambee North Neighborhoods Plan Initiative. Implementation strategies have been identified and one of which is to "expand, maintain and preserve affordable housing opportunities for low-income residents and develop resources for residents who want to stay in the community". Furthermore, the Neighborhood Action Plan states the object to "facilitate the development of higher density senior housing and other rental housing along Martin Luther King Jr. Drive". The Project is consistent with this strategic goal and is in alignment with proposed redevelopment plans for the Five Points Exchange Project – an identified northern gateway for the neighborhood.

D. Space Between Structures

There will only be one structure on the site.

E. Setbacks

The setback requirement of 25 feet for Planned Developments only applies to lots that are five acres or more. The Project's lot is only 0.67 acres and, therefore, this requirement is not applicable to the Project.

F. Screening

The building shall be screened from existing or proposed business or industrial uses on or adjacent to the site. Screening shall consist of decorative walls, fences, hedges, shrubs, trees or combinations thereof, appropriate to the surrounding neighborhood.

G. Open Space

All open spaces depicted on the Site Plan shall be landscaped and maintained so as not to create a nuisance or hazardous conditions.

H. Circulation, Parking and Loading

All parking is surface parking. Adequate access for pedestrians and public and private vehicles shall be provided. There is an existing pedestrian sidewalk along each of the three perimeters of the site that will be maintained.

I. Landscaping

All required vegetation shall be of a quality consistent with the standards of the American Association of Nurserymen (AAN 260.1). All vegetation depicted on the Site Plan shall be maintained on an ongoing basis, including seasonal tree and plant replacement.

J. Lighting

Pursuant to City of Milwaukee Ordinances §295-409, the Project shall have cut-off fixtures that ensure that lighting levels and glare are controlled as follows:

1. No light source shall be visible from an adjoining property or public right-of-way, and
2. Where adjoining properties are zoned residential, the maximum illumination at a property line shall be one foot-candle. In all other

circumstances, the maximum illumination at a property line shall be 5 foot candles.

K. Utilities

All utility lines shall be installed underground. Any new transformers and substations, if any, shall be installed within buildings or otherwise screened from view.

L. Signs and Sign Standards

The following signs will be part of the Project:

1. Temporary Signs during construction: The Project may include up to three (3) temporary construction signs during construction that will be located on one or more of the three surrounding streets; Keefe Avenue, Port Washington Road and N. Martin Luther King Jr. Drive. Each sign shall not exceed 8' x 4' each. The material of each sign shall be Screen Printed plywood or similar rigid material. The purpose of each sign may include:
    a. A sign required by the Wisconsin Housing and Economic Development Authority identifying the Project as a WHEDA tax credit project.
    b. A sign required or requested by Project financing entities or financial supporters to the Project, and
    c. A sign identifying Project Partners.
2. Permanent Sign - Building Name: Since this Project will be visible to pedestrian and vehicular traffic from all sides of the building, it is important to have permanent signage on at least two sides of the building. The Project will include one permanent freestanding sign located at the east side of the site along Port Washington Road. This sign shall not exceed 32 sq. ft. A sign will be located on a wall parallel to Keefe Avenue to the north. This sign shall not exceed 25 square feet. The purpose of the signs is to include the Project's Name. The final plans for these signs will be submitted to the City as part of the Detailed Development Plan.
3. Periodic Sign – Leasing: The Project may include one rental sign located on the north, west or east elevation. The sign shall not exceed 48 sq. ft. Materials will be printed vinyl or similar material. The purpose of the sign is to advertise units available for lease. The sign may be displayed until all units are initially leased. After initial lease up, the sign may be displayed at times when vacancies are available.

M. Sign Illumination

If signs are illuminated, the source of illumination will not be visible or intermittent.

N. Exterior

The building materials will be brick, glass, and cement fiber panels with coordinating trim. The dumpster enclosure will be clad in cement fiber board panels to match the building. Aluminum storefront will be used in the common spaces fronting Martin

Luther King Jr. Drive. There will be a 6'-0" decorative aluminum fence at the south end of the site and at the northwest corner of the site along Martin Luther King Drive. They will be similar in appearance to the balcony railings. The walls located at the corner of MLK and Keefe and parallel to Keefe will be of brick construction. The stepped retaining wall along Port Washington Road and the parking will be of Keystone masonry units with a thinner contrasting cap. The top of the wall will be at elevations consistent with the grades. Landscape plans will be modified in order to provide some cascading plants along the top of the Keystone wall. Open spaces will include landscaped areas including a patio and pedestrian facilities as shown on the site plan.

FN 090216 EXHIBIT A

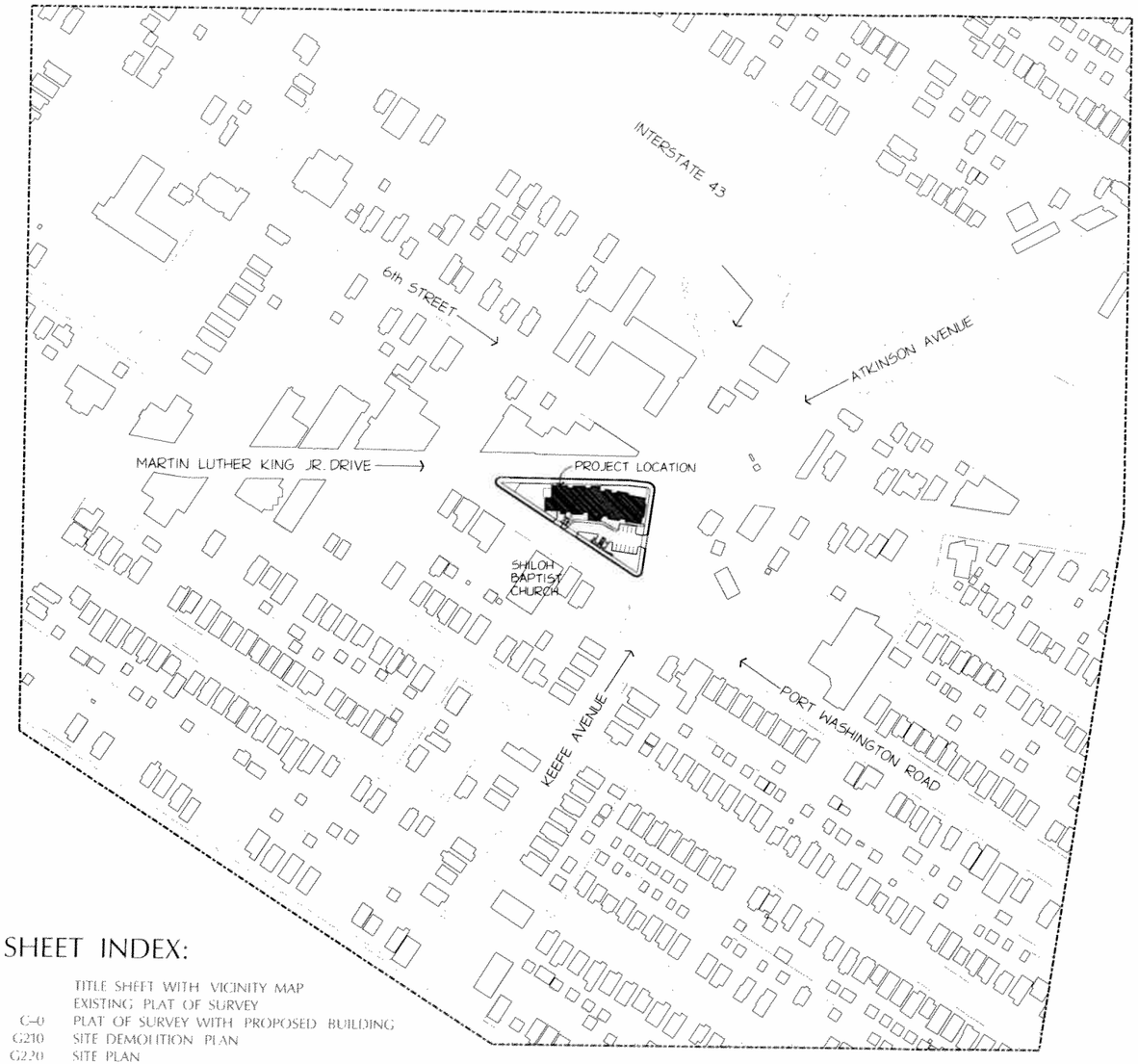
Shiloh Manor

At Five Points

3418-3458 N. Martin Luther King Jr. Drive
Milwaukee, WI

Common Council #090216

Volunteers of America®
Wisconsin



VICINITY MAP – N.T.S.

SHEET INDEX:

	TITLE SHEET WITH VICINITY MAP
	EXISTING PLAT OF SURVEY
C-0	PLAT OF SURVEY WITH PROPOSED BUILDING
G210	SITE DEMOLITION PLAN
G220	SITE PLAN
C-1	GRADING AND EROSION CONTROL PLAN
C-2	UTILITY PLAN
C-3	PAVING PLAN
	LANDSCAPE PLAN
EG220	PHOTOMETRIC POINT BY POINT SITE PLAN
A500	EXTERIOR BUILDING ELEVATIONS WITH SITE SIGNAGE
A501	EXTERIOR BUILDING ELEVATIONS

OWNER

VOLUNTEERS OF AMERICA NATIONAL SERVICES (VOANS)

1660 Duke Street
Alexandria, VA 22314

DETAILED PLAN DEVELOPMENT

AG PROJECT NUMBER: 080101
DATE: 31 AUGUST 2009

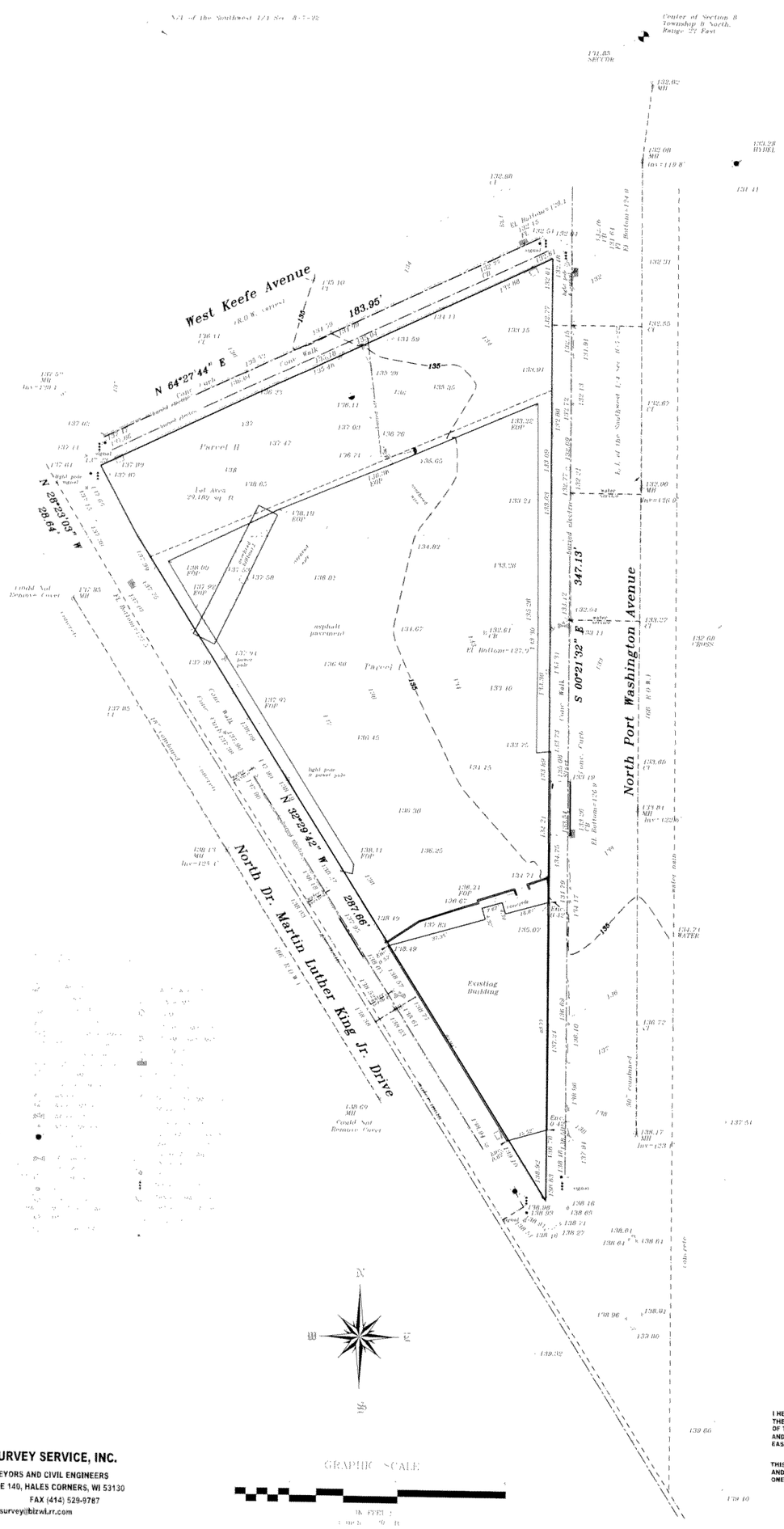
ag Architecture
A Sense of Community

1474 UNDERWOOD AVE WAUWATOSA WI 53213 414 431 3131 TEL 414 431 0531 FAX WWW.AGARCH.COM

PLAT OF SURVEY

LOCATION:

LEGAL DESCRIPTION:



WISCONSIN
DENNIS C. SAUER
S-2421
Franklin, WI
LAND SURVEYOR

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF.

SIGNED

Dennis C. Sauer
Registered Land Surveyor S-2421

METROPOLITAN SURVEY SERVICE, INC.
REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS
5307 S. 92ND STREET, SUITE 140, HALES CORNERS, WI 53130
PH. (414) 529-5380 FAX (414) 529-9787
email address: survey@blzwi.rr.com

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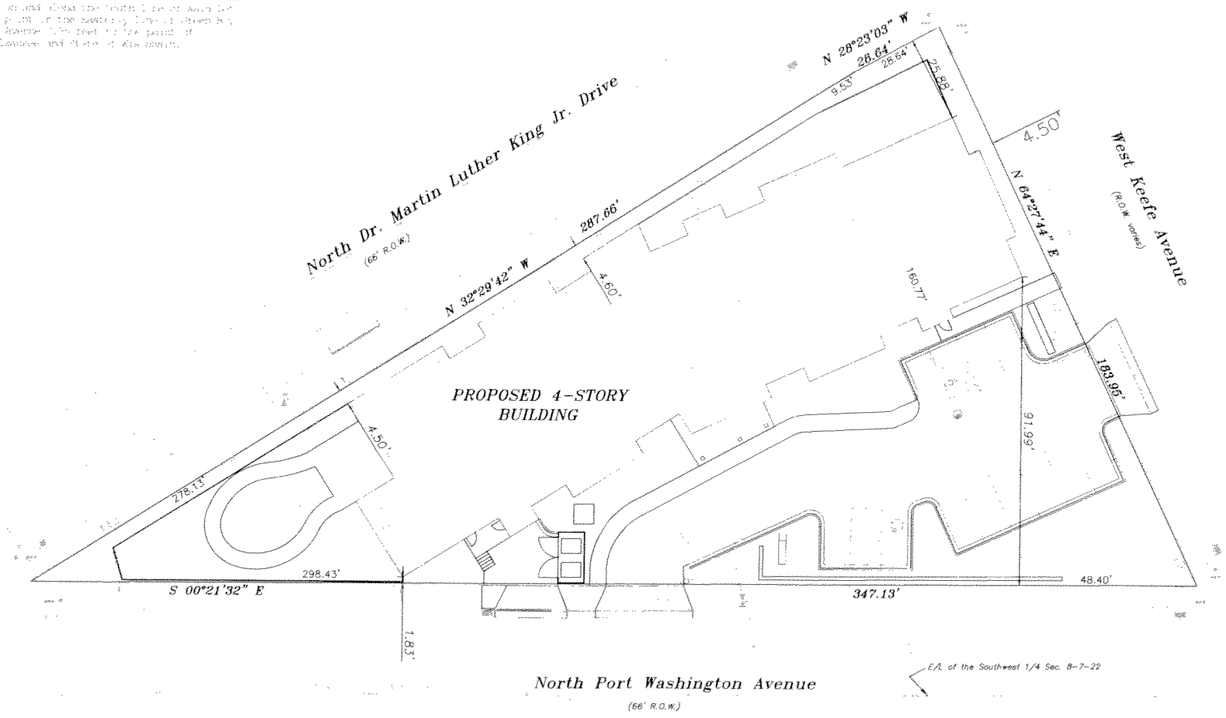

NO.	REVISION DESCRIPTION	DATE

One Source Consulting

3065 N. 124TH STREET
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PROJECT
SHILOH MANOR AT FIVE POINTS
3418 & 3458 N. MARTING LUTHER KING JR. DRIVE
MILWAUKEE, WI

CLIENT
AG ARCHITECTURE, INC.
1414 UNDERWOOD AVENUE, SUITE 301
WAUWATOSA, WI 53213

Seal

SHEET TITLE
PLAT OF SURVEY

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OSC Project No:	124-09
Sheet No	C-0

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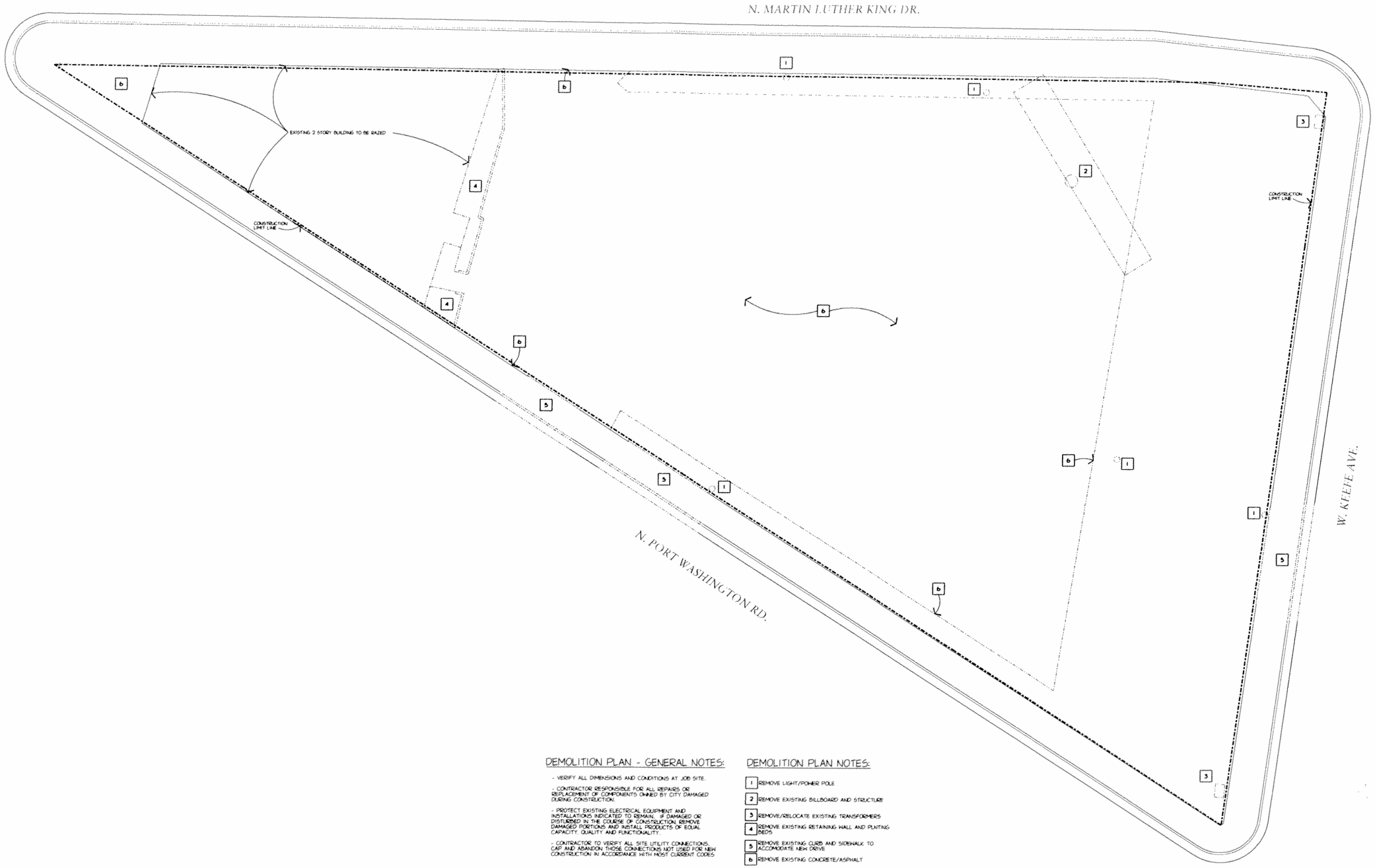

DEMOLITION PLAN - GENERAL NOTES:

- VERIFY ALL DIMENSIONS AND CONDITIONS AT JOB SITE.

- CONTRACTOR RESPONSIBLE FOR ALL REPAIRS OR REPLACEMENT OF COMPONENTS OWNED BY CITY DAMAGED DURING CONSTRUCTION.

- PROTECT EXISTING ELECTRICAL EQUIPMENT AND INSTALLATIONS INDICATED TO REMAIN. IF DAMAGED OR DISTURBED IN THE COURSE OF CONSTRUCTION, REMOVE DAMAGED PORTIONS AND INSTALL PRODUCTS OF EQUAL CAPACITY, QUALITY AND FUNCTIONALITY.

- CONTRACTOR TO VERIFY ALL SITE UTILITY CONNECTIONS. CAP AND ABANDON THOSE CONNECTIONS NOT USED FOR NEW CONSTRUCTION IN ACCORDANCE WITH MOST CURRENT CODES

DEMOLITION PLAN NOTES:

1. REMOVE LIGHT/POWER POLE
2. REMOVE EXISTING BILLBOARD AND STRUCTURE
3. REMOVE/RELOCATE EXISTING TRANSFORMERS
4. REMOVE EXISTING RETAINING WALL AND PLANTING BEDS
5. REMOVE EXISTING CURB AND SIDEWALK TO ACCOMODATE NEW DRIVE
6. REMOVE EXISTING CONCRETE/ASPHALT

Shiloh Manor
at Five Points

Milwaukee Wisconsin

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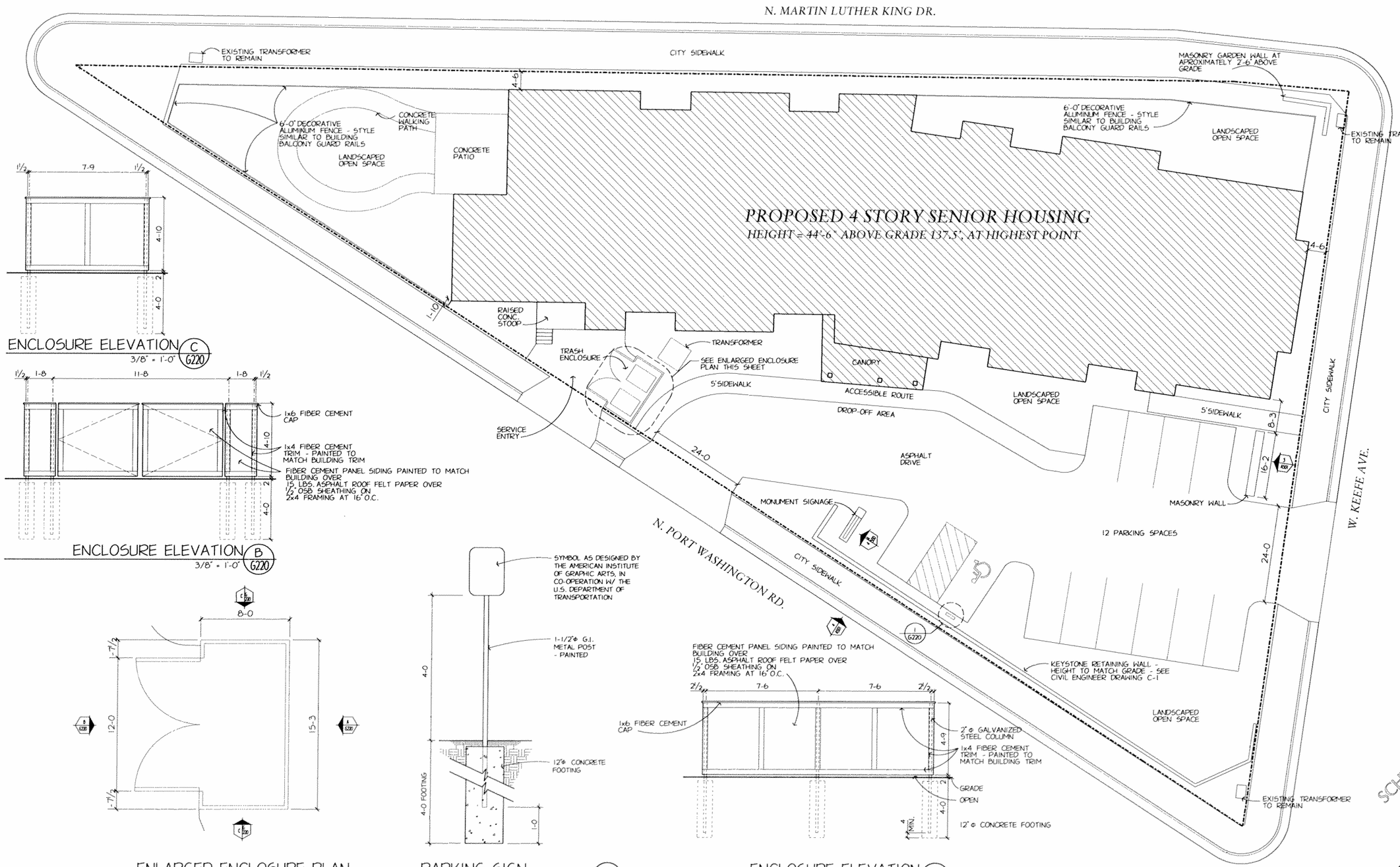
DRN

DATE
31 AUG 2009

PROJECT
080101

SHEET NO

1" = 10' SITE DEMOLITION PLAN G210



1" = 10' SITE PLAN G220

Shiloh Manor
at Five Points

Milwaukee Wisconsin

SCHEMATIC DESIGN NOT FOR CONSTRUCTION

DRAWN BY DRN

DATE 31 AUG 2009

PROJECT 080101

SHEET NO.

MAINTENANCE PLAN

1. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE INSPECTED FOR FUNCTIONAL EFFECTIVENESS FOLLOWING EVERY 1/2-INCH RAIN EVENT AND IN NO CASE LESS THAN ONCE PER WEEK. ANY NEEDED REPAIRS WILL BE MADE IMMEDIATELY TO ENSURE THE DEVICE FUNCTIONS AS DESIGNED.
2. ALL SEEDED AREAS WILL BE WATERED, FERTILIZED, MULCHED AND RESEEDED AS NECESSARY TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.
3. ANY SEDIMENT REACHING A PUBLIC OR PRIVATE STREET SHALL BE REMOVED BY STREET CLEANING BEFORE THE END OF EACH DAY OR AS NECESSARY TO PREVENT DEBRIS FROM ENTERING A STORM SEWER, DITCH, OR WATERWAY.
4. AREAS INACTIVE DURING THE NON-GROWING SEASON MUST BE STABILIZED WITH ANIONIC POLYACRYLAMIDE (GRANULAR) WITH TEMPORARY SEED. SEE WDNR TECHNICAL STANDARD 1050. IN MAY BE NECESSARY MAKE SUPPLEMENTAL APPLICATIONS FOLLOWING CONDITIONS THAT RESULT IN RUNOFF DUE TO WARM MID WINTER TEMPERATURES.
5. IN THE EVENT CONSTRUCTION ACTIVITIES RESULT IN SEVERE DUST CONDITIONS, SEE WDNR TECHNICAL STANDARD 1068.
6. IN THE EVENT OF DEWATERING ACTIVITIES, FOLLOW WDNR TECHNICAL STANDARD 1061. ALL WATER DISCHARGED FROM THE DEWATERING EQUIPMENT MUST BE FILTERED BY A TYPE II GEOTEXILE BAG SIZED FOR THE PUMP DISCHARGE FLOW RATE.

CONSTRUCTION SCHEDULE

1. OBTAIN PLAN APPROVAL AND APPLICABLE PERMITS.
2. INSTALL OFF-SITE INLET PROTECTION DEVICES
3. INSTALL PERIMETER EROSION CONTROL WHERE REQUIRED BY SLOPES
4. INSTALL CONSTRUCTION EXIT
5. STRIP AND STOCKPILE TOPSOIL WITHIN DISTURBANCE LIMITS
6. TEMPORARY STOCKPILES SHALL BE PROTECTED WITH STRAW BALES, SILT FENCE, INTERCEPTOR SWALES, SEDIMENT TRAP OR OTHER PERMITER CONTROL MEASURES.
7. ROUGH GRADE FOR PROPOSED IMPROVEMENTS
8. INSTALL AND SHAPE BAS COURSE
9. COMPLETE ASPHALT AND CONCRETE PAVING
10. FINAL GRADE, TOPSOIL, INSTALL PLANT MATERIAL, SEED AND STABILIZE ALL DISTURBED AREAS.
11. AFTER SITE IS STABILIZED, REMOVE ALL TEMPORARY MEASURES AND VEGETATE THE DISTURBED AREAS.
12. ESTIMATED TIME TO FINAL STABILZIATION – 8 MONTHS FROM THE START OF CONSTRUCTION ACTIVITIES

SUMMARY OF IMPERVIOUS AREAS

TOTAL SITE: 0.67 AC

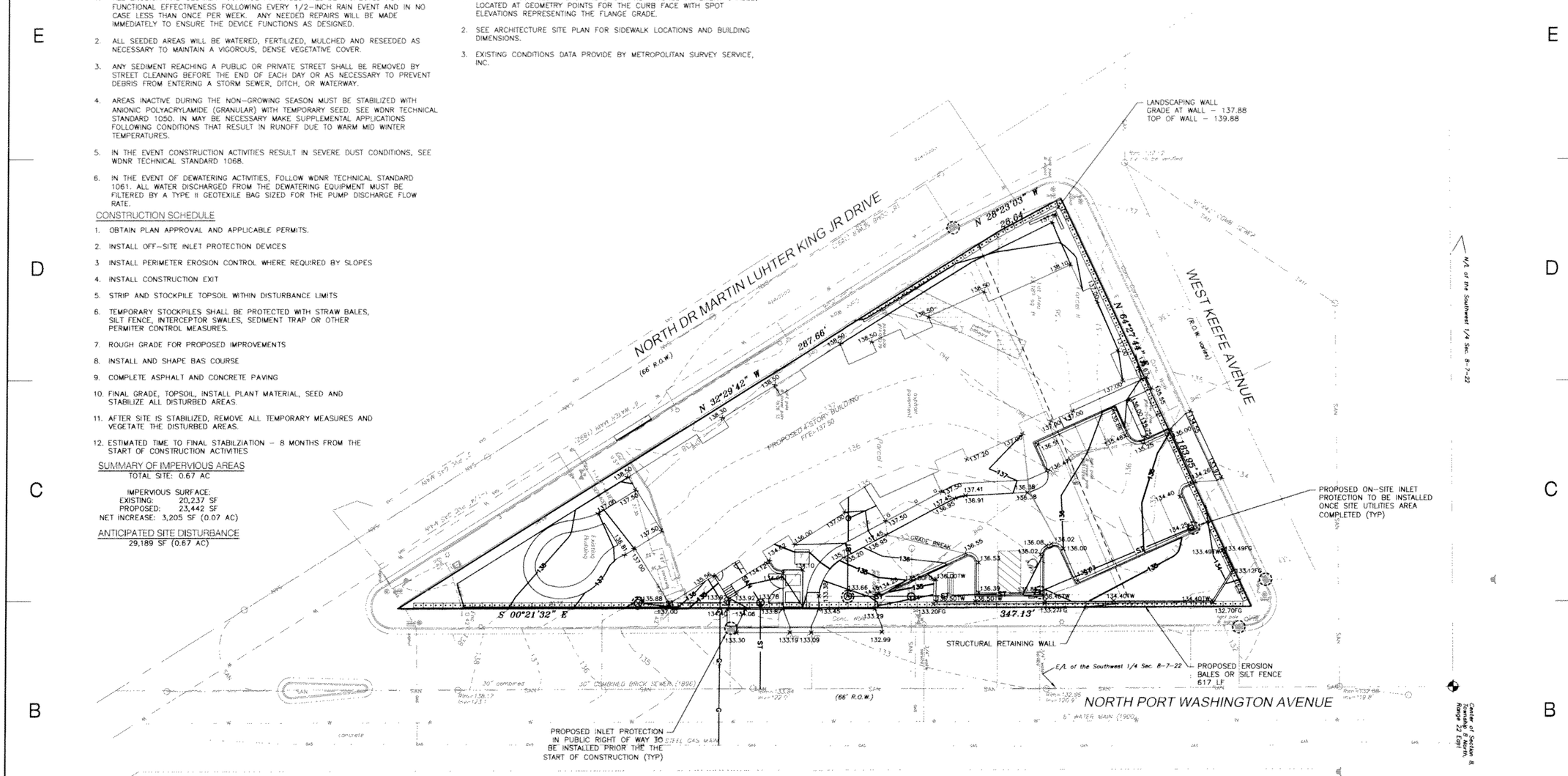
IMPERVIOUS SURFACE:
EXISTING: 20,237 SF
PROPOSED: 23,442 SF
NET INCREASE: 3,205 SF (0.07 AC)

ANTICIPATED SITE DISTURBANCE

29,189 SF (0.67 AC)

NOTES:

1. ALL PROPOSED ELEVATIONS ARE SHOWN AS FINISHED PAVEMENT GRADES, LOCATED AT GEOMETRY POINTS FOR THE CURB FACE WITH SPOT ELEVATIONS REPRESENTING THE FLANGE GRADE.
2. SEE ARCHITECTURE SITE PLAN FOR SIDEWALK LOCATIONS AND BUILDING DIMENSIONS.
3. EXISTING CONDITIONS DATA PROVIDE BY METROPOLITAN SURVEY SERVICE, INC.



SCALE IN FEET

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Milwaukee Area (414) 259-1181
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PLAN COMMISSION SUBMITTAL
NOT FOR CONSTRUCTION

NO	REVISION DESCRIPTION	DATE
1	SITE PLAN CHANGES	09/14/09

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SEAL
WISCONSIN CRAIG T. DONZE E-35380 BROOKFIELD, WI PROFESSIONAL ENGINEER

SHEET TITLE
GRADING AND EROSION CONTROL PLAN

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Checked:	CTD 08-31-09
OSC Project No:	124-07
Sheet No.	C-1

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UTILITY NOTES

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2. ALL UTILITY WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN – AND ALL STATE AND LOCAL CODES AND SPECIFICATIONS. IT IS THE CONTRACTORS RESPONSIBILITY TO DETERMINE WHICH SPECIFICATIONS AND CODES APPLY, AND TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE LOCAL AND STATE AUTHORITIES.

3. LENGTHS OF ALL UTILITIES ARE TO CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM PLAN. LENGTHS SHALL BE VERIFIED IN THE FIELD DURING CONSTRUCTION.

4. CONTRACTOR SHALL VERIFY ALL ELEVATIONS, LOCATIONS AND SIZES OF SANITARY, WATER AND STORM LATERALS AND CHECK ALL UTILITY CROSSINGS FOR CONFLICTS.

5. CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT ALL UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH THE FINISHED GRADES OF THE AREAS EFFECTED BY THE CONSTRUCTION.

6. STORM SEWER SPECIFICATIONS –

   PIPE – HIGH DENSITY DUAL-WALL POLYETHYLENE CORRUGATED PIPE SHALL BE AS MANUFACTURED BY ADS OR EQUAL WITH WATER TIGHT JOINTS, AND SHALL MEET THE REQUIREMENTS OF AASHTO DESIGNATION M-294 TYPE "S"

   BACKFILL AND BEDDING – STORM SEWER SHALL BE CONSTRUCTED WITH GRAVEL BACKFILL AND CLASS "B" BEDDING IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.43.5 OF THE "STANDARD SPECIFICATIONS"

7. WATER MAIN SPECIFICATIONS –

   PIPE – WATER MAIN SHALL BE POLYVINYL CHLORIDE (PVC) PIPE MEETING THE REQUIREMENTS OF AWWA STANDARD C-900, CLASS 150, DR-18, WITH CAST IRON O.D. AND INTEGRAL ELASTOMERIC BELL AND SPIGOT JOINTS.

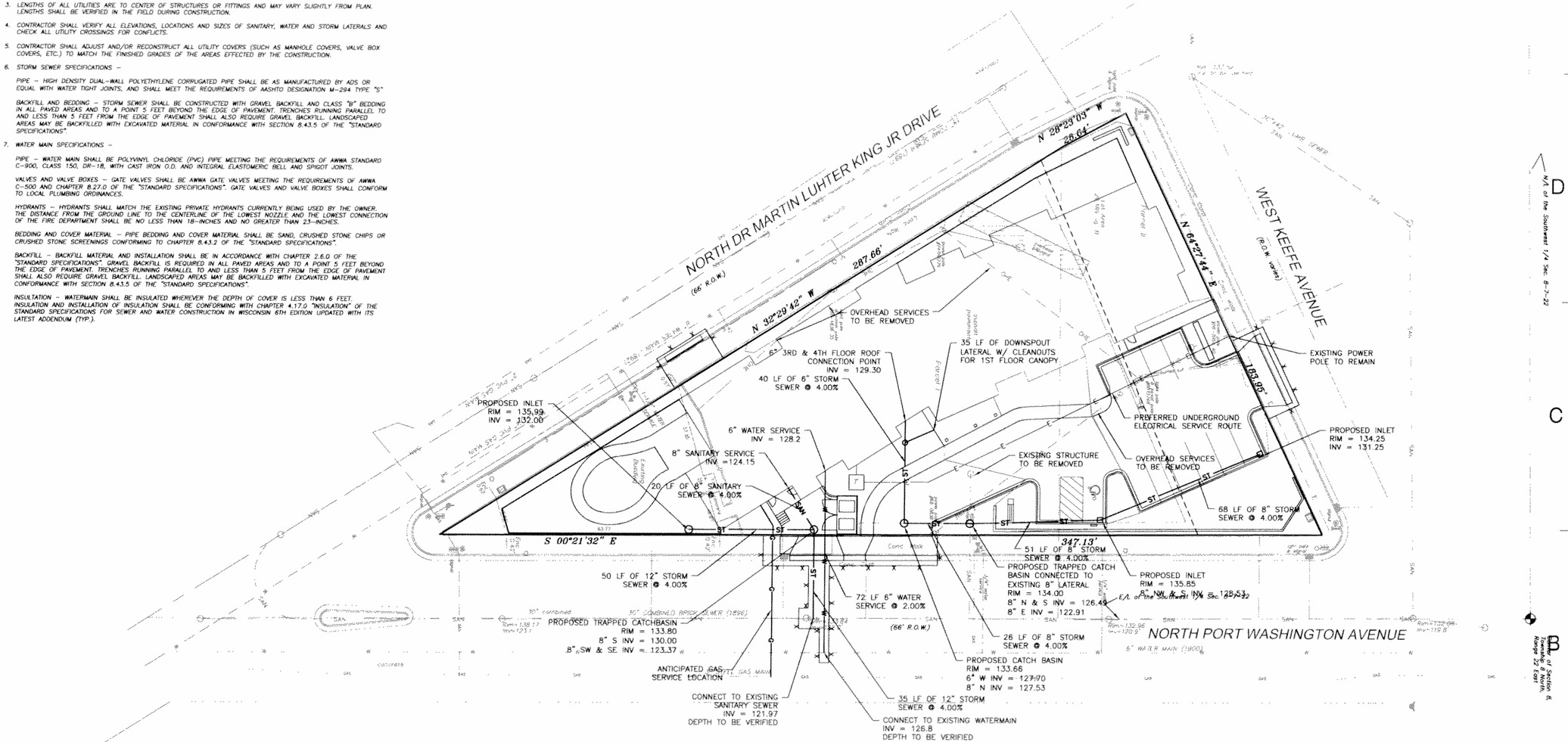
   VALVES AND VALVE BOXES – GATE VALVES SHALL BE AWWA GATE VALVES MEETING THE REQUIREMENTS OF AWWA C-500 AND CHAPTER 8.27.0 OF THE "STANDARD SPECIFICATIONS". GATE VALVES AND VALVE BOXES SHALL CONFORM TO LOCAL PLUMBING ORDINANCES.

   HYDRANTS – HYDRANTS SHALL MATCH THE EXISTING PRIVATE HYDRANTS CURRENTLY BEING USED BY THE OWNER. THE DISTANCE FROM THE GROUND LINE TO THE CENTERLINE OF THE LOWEST NOZZLE AND THE LOWEST CONNECTION OF THE FIRE DEPARTMENT SHALL BE NO LESS THAN 18-INCHES AND NO GREATER THAN 23-INCHES.

   BEDDING AND COVER MATERIAL – PIPE BEDDING AND COVER MATERIAL SHALL BE SAND, CRUSHED STONE CHIPS OR CRUSHED STONE SCREENINGS CONFORMING TO CHAPTER 8.43.2 OF THE "STANDARD SPECIFICATIONS".

   BACKFILL – BACKFILL MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE WITH CHAPTER 2.6.0 OF THE "STANDARD SPECIFICATIONS". GRAVEL BACKFILL IS REQUIRED IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.43.5 OF THE "STANDARD SPECIFICATIONS".

   INSULATION – WATERMAIN SHALL BE INSULATED WHEREVER THE DEPTH OF COVER IS LESS THAN 6 FEET. INSULATION AND INSTALLATION OF INSULATION SHALL BE CONFORMING WITH CHAPTER 4.17.0 "INSULATION" OF THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN 6TH EDITION UPDATED WITH ITS LATEST ADDENDUM (TYP.).



SCALE IN FEET
20' 0 20'

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PLAN COMMISSION SUBMITTAL
NOT FOR CONSTRUCTION

NO.	REVISION DESCRIPTION	DATE
1.	SITE PLAN CHANGES	09/15/09

One Source Consulting
Division of Shield Lake City Wyd Partners
3065 N. 124TH STREET
BROOKFIELD, WI 53005
(262) 784-9005
(262) 784-9083 (FAX)
www.onesourceconsult.com

PROJECT
SHILOH MANOR AT FIVE POINTS
3416 & 3458 MARTIN LUTHER KING JR. DRIVE
MILWAUKEE, WI

CLIENT
AG ARCHITECTURE
1414 UNDERWOOD AVE, SUITE 301
WAUWATOSA, WI 53213

Seal
WISCONSIN
CRAIG T. DONZE
E-35380
BROOKFIELD, WI
PROFESSIONAL ENGINEER

TITLE
UTILITY PLAN

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Drawn:	CTD 08-31-09
Checked:	CTD 08-31-09
OSC Project No:	124-07
Sheet No.	C-2

Sep 14, 2009 – 10:58am
S:\CAD Projects\124-07 Shiloh Manor\124-07 Civil.dwg

PAVING NOTES

1. SUBGRADE UNDER PAVEMENT AREAS SHALL BE VERIFIED BY GEOTECHNICAL ENGINEER OF RECORD:

   ** PAVEMENT DESIGN INFORMATION PROVIDED BY GEOTECHNICAL ENGINEER OF RECORD AS SPECIFIED IN THE GEOTECHNICAL REPORT, DATED MAY 20, 2008, PROVIDED BY PROFESSIONAL SERVICE INDUSTRIES, INC.**

   SPECIFIC PAVEMENT DESIGN

   ASPHALTIC PAVEMENT (LIGHT DUTY – PARKING STALLS)
   6" CRUSHED AGGREGATE BASE COURSE
   3.5" ASPHALTIC CONC. (2 LIFTS: 1.75" LOWER, 1.75" UPPER)

   ASPHALTIC PAVEMENT (HEAVY DUTY – DRIVE AISLE)
   10" CRUSHED AGGREGATE BASE COURSE
   4.5" ASPHALTIC CONC. (2 LIFTS: 2.75" LOWER, 1.75" UPPER)

   LOADING AREA
   6" CRUSHED AGGREGATE BASE COURSE
   8" REINFORCED CONCRETE PAVEMENT

   CONCRETE SIDEWALK (SEE ARCHITECTURAL PLANS FOR LOCATION)
   4" CONCRETE ON 6" CRUSHED AGGREGATE BASE COURSE

2. ASPHALTIC CONCRETE PAVING SPECIFICATIONS–

   CODES AND STANDARDS – THE PLACING, CONSTRUCTION AND COMPOSITION OF THE ASPHALTIC BASE COURSE AND ASPHALTIC CONCRETE SURFACING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, CURRENT EDITION. HEREAFTER, THIS PUBLICATION WILL BE REFERRED TO AS STATE HIGHWAY SPECIFICATIONS.

   WEATHER LIMITATIONS – APPLY TACK COATS WHEN AMBIENT TEMPERATURE IS ABOVE 50° F (10° C) AND WHEN TEMPERATURE HAS NOT BEEN BELOW 35° F (1° C) FOR 12 HOURS IMMEDIATELY PRIOR TO APPLICATION. DO NOT APPLY WHEN BASE IS WET OR CONTAINS EXCESS OF MOISTURE. CONSTRUCT ASPHALTIC CONCRETE SURFACE COURSE WHEN ATMOSPHERIC TEMPERATURE IS ABOVE 40° F (4° C) AND BASE IS DRY AND WEATHER IS NOT RAINY. BASE COURSE MAY BE PLACED WHEN AIR TEMPERATURE IS ABOVE 30° F (–1° C).

   GRADE CONTROL – ESTABLISH AND MAINTAIN REQUIRED LINES AND ELEVATIONS FOR EACH COURSE DURING CONSTRUCTION.

   CRUSHED AGGREGATE BASE COURSE – THE TOP LAYER OF BASE COURSE SHALL CONFORM TO SECTIONS 301 AND 305, STATE HIGHWAY SPECIFICATIONS.

   BINDER COURSE AGGREGATE – THE AGGREGATE FOR THE BINDER COURSE SHALL CONFORM TO TYPE E-3 MIX, SECTIONS 460.2.7 AND 315, STATE HIGHWAY SPECIFICATIONS.

   SURFACE COURSE AGGREGATE – THE AGGREGATE FOR THE SURFACE COURSE SHALL CONFORM TO TYPE E-3 MIX, SECTIONS 460.2.7 AND 465, STATE HIGHWAY SPECIFICATIONS.

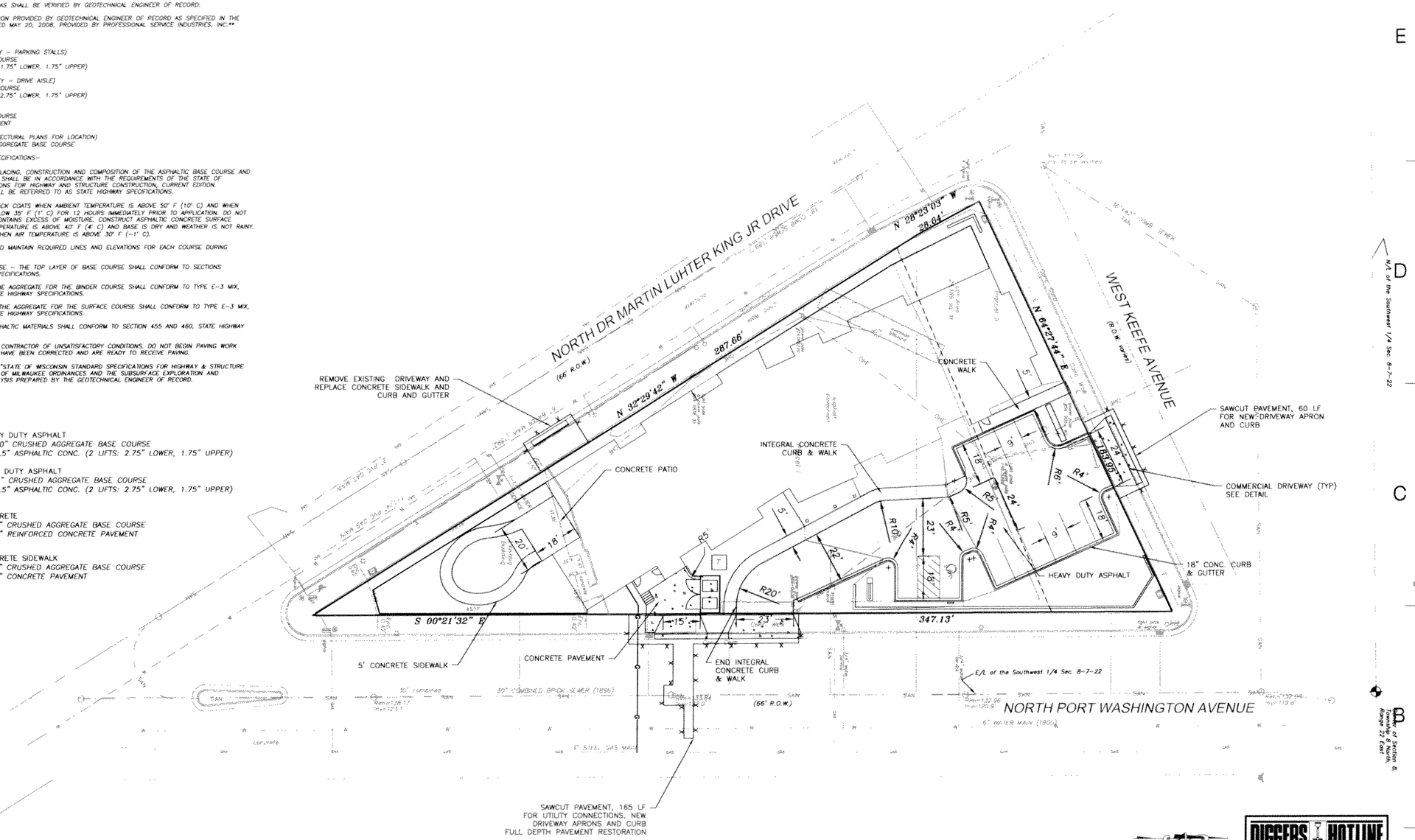
   ASPHALTIC MATERIALS – THE ASPHALTIC MATERIALS SHALL CONFORM TO SECTION 455 AND 460, STATE HIGHWAY SPECIFICATIONS.

   SURFACE PREPARATION – NOTIFY CONTRACTOR OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.

3. ALL PAVING SHALL CONFORM TO "STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION, APPLICABLE CITY OF MILWAUKEE ORDINANCES AND THE SUBSURFACE EXPLORATION AND GEOTECHNICAL ENGINEERING ANALYSIS PREPARED BY THE GEOTECHNICAL ENGINEER OF RECORD.

LEGEND:

- HEAVY DUTY ASPHALT — 10" CRUSHED AGGREGATE BASE COURSE; 4.5" ASPHALTIC CONC. (2 LIFTS: 2.75" LOWER, 1.75" UPPER)
- LIGHT DUTY ASPHALT — 8" CRUSHED AGGREGATE BASE COURSE; 3.5" ASPHALTIC CONC. (2 LIFTS: 2.75" LOWER, 1.75" UPPER)
- CONCRETE — 6" CRUSHED AGGREGATE BASE COURSE; 8" REINFORCED CONCRETE PAVEMENT
- CONCRETE SIDEWALK — 6" CRUSHED AGGREGATE BASE COURSE; 4" CONCRETE PAVEMENT



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NO.	REVISION DESCRIPTION	DATE
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3418 & 3458 MARTIN LUTHER KING DRIVE
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WAUWATOSA, WI 53213

Seal: WISCONSIN CRAIG T. DONZE E-35380 BROOKFIELD, WI PROFESSIONAL ENGINEER

SHEET TITLE
PAVING PLAN

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Checked:	CTD 08-31-09
OSC Project No:	124-07
Sheet No.	C-3

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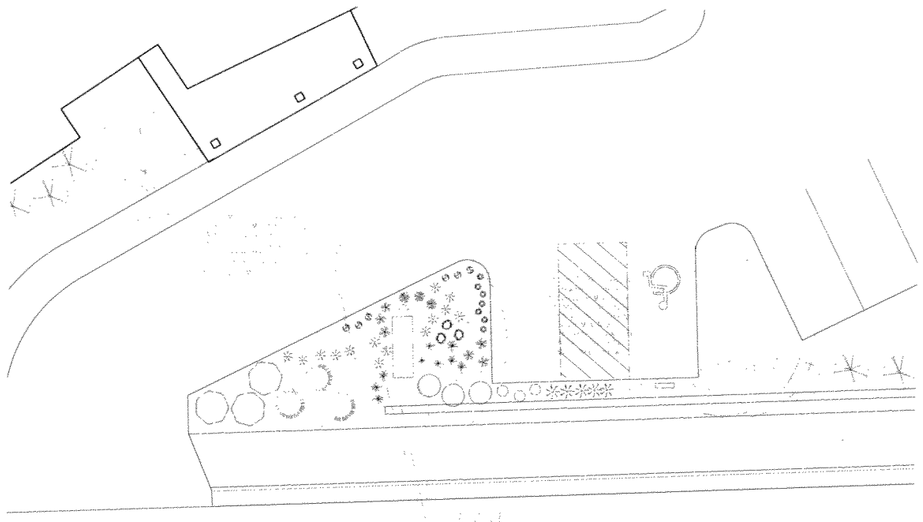

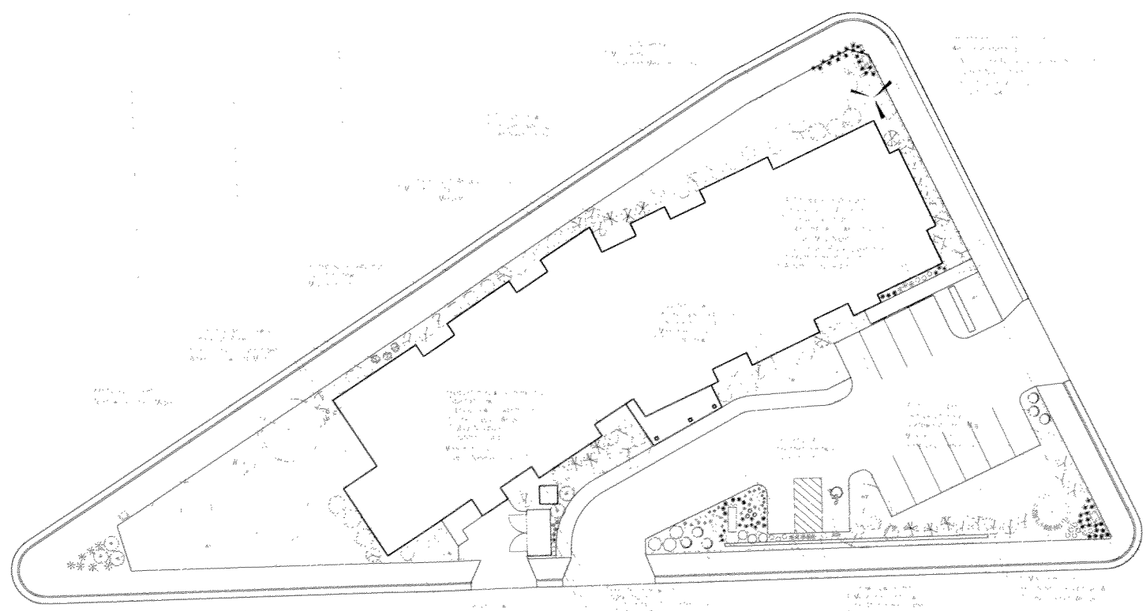

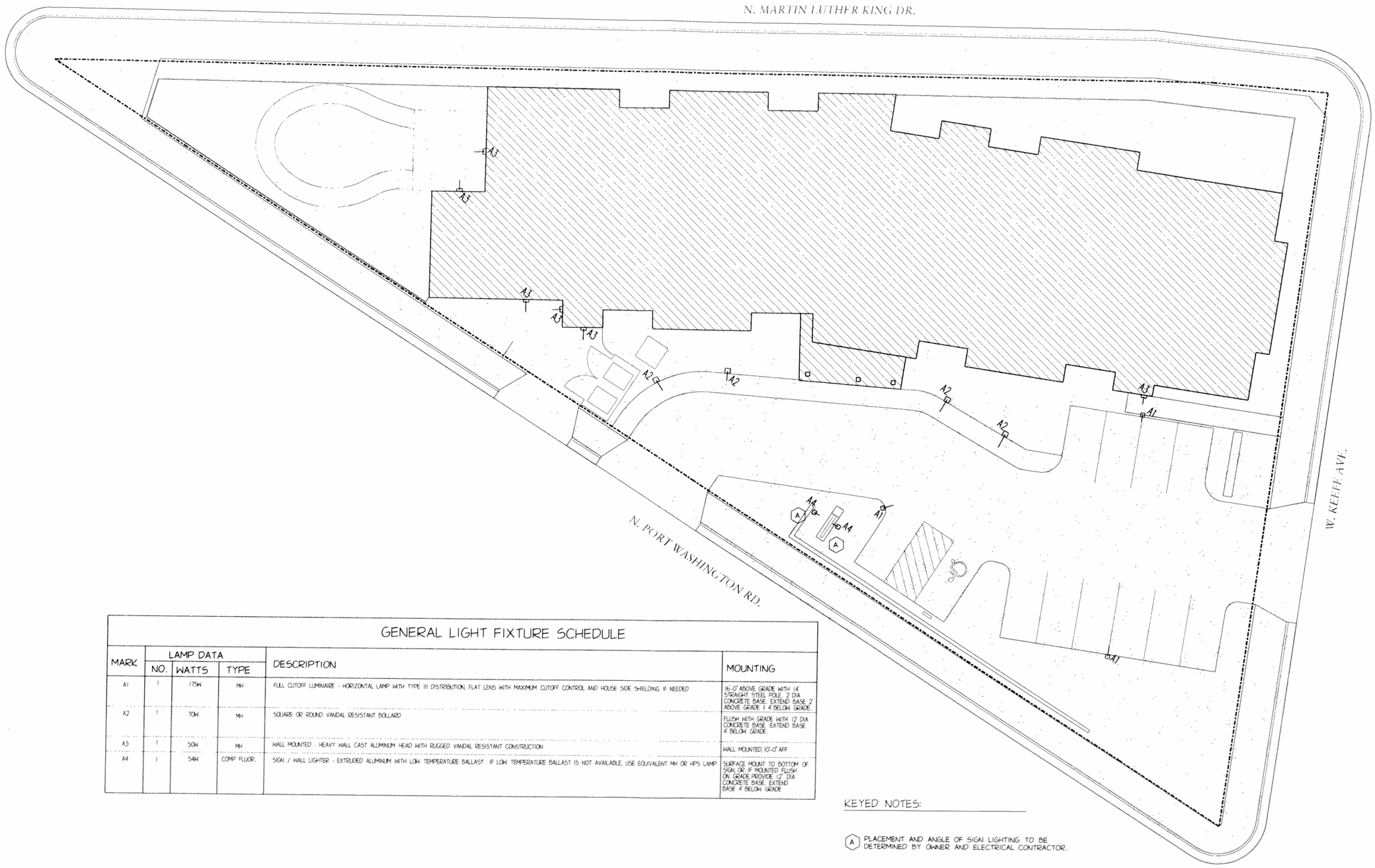

GENERAL LIGHT FIXTURE SCHEDULE					
MARK	LAMP DATA			DESCRIPTION	MOUNTING
	NO.	WATTS	TYPE		
A1	1	175W	MH	FULL CUTOFF LUMINAIRE - HORIZONTAL LAMP WITH TYPE III DISTRIBUTION, FLAT LENS WITH MAXIMUM CUTOFF CONTROL AND HOUSE SIDE SHIELDING IF NEEDED	16'-0" ABOVE GRADE WITH 14' STRAIGHT STEEL POLE. 2' DIA CONCRETE BASE. EXTEND BASE 2" ABOVE GRADE. 1.4' BELOW GRADE.
A2	1	70W	MH	SQUARE OR ROUND VANDAL RESISTANT BOLLARD	FLUSH WITH GRADE WITH 12" DIA CONCRETE BASE. EXTEND BASE 4' BELOW GRADE.
A3	1	50W	MH	WALL MOUNTED - HEAVY WALL CAST ALUMINUM HEAD WITH RUGGED VANDAL RESISTANT CONSTRUCTION	WALL MOUNTED, 10'-0" AFF
A4	1	54W	COMP FLUOR.	SIGN / WALL LIGHTER - EXTRUDED ALUMINUM WITH LOW TEMPERATURE BALLAST. IF LOW TEMPERATURE BALLAST IS NOT AVAILABLE, USE EQUIVALENT MH OR HPS LAMP	SURFACE MOUNT TO BOTTOM OF SIGN, OR IF MOUNTED FLUSH ON GRADE PROVIDE 12" DIA CONCRETE BASE. EXTEND BASE 4' BELOW GRADE

KEYED NOTES:

(A) PLACEMENT AND ANGLE OF SIGN LIGHTING TO BE DETERMINED BY OWNER AND ELECTRICAL CONTRACTOR.

1" = 10' PHOTOMETRIC POINT BY POINT SITE PLAN EG220

Shiloh Manor
at Five Points

Milwaukee Wisconsin

Architecture
7474 UNDERWOOD AVE.
WAUWATOSA WI 53213
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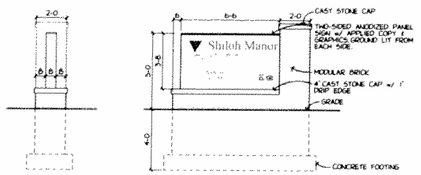
JMM
DATE
31 AUG 2009
PROJECT
080704
SHEET NO

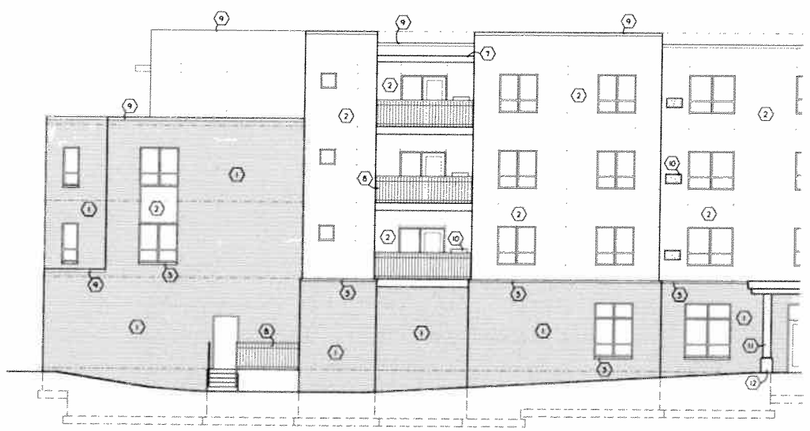


SIGNAGE ELEVATION
1/4" = 1'-0"

ELEVATION
1/8" = 1'-0"

MATERIAL KEY:

1. BRICK VENEER
2. CEMENT FIBER PANEL
3. 4" CAST STONE SILL
4. 3/4" x 6" CEMENT FIBER TRIM BOARD
5. 3/4" x 12" CEMENT FIBER TRIM BOARD
6. 2x12 FASCIA w/ BRUSHED ALUM. WRAP
7. 2x10 FASCIA w/ BRUSHED ALUM. WRAP
8. ALUMINUM GUARDRAIL
9. BRUSHED ALUMINUM COPING
10. A/C UNIT (THROUGH-WALL)
11. BRUSHED ALUMINUM COLUMN COVER
12. CONCRETE COLUMN BASE



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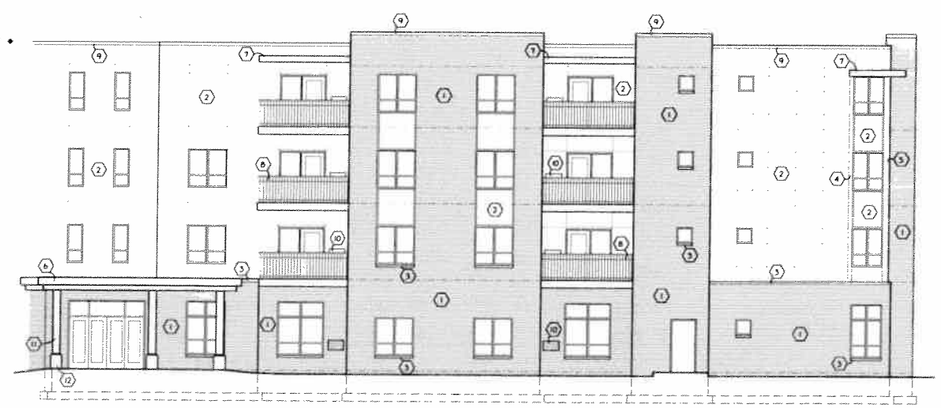

ELEVATION
1/8" = 1'-0"

Shiloh Manor at Five Points

Milwaukee Wisconsin

Architecture

7434 UNDERWOOD AVE
WAUWATOSA, WI 53213

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DRAWN BY
DRK

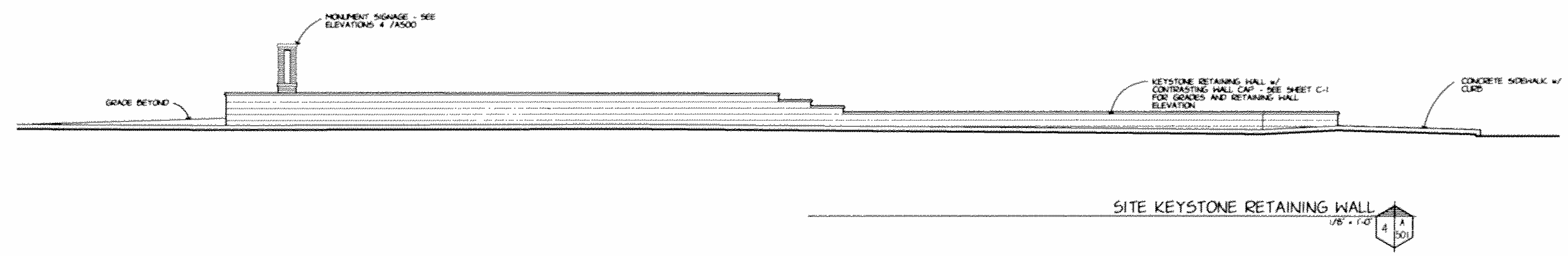
DATE
31 AUG 2009

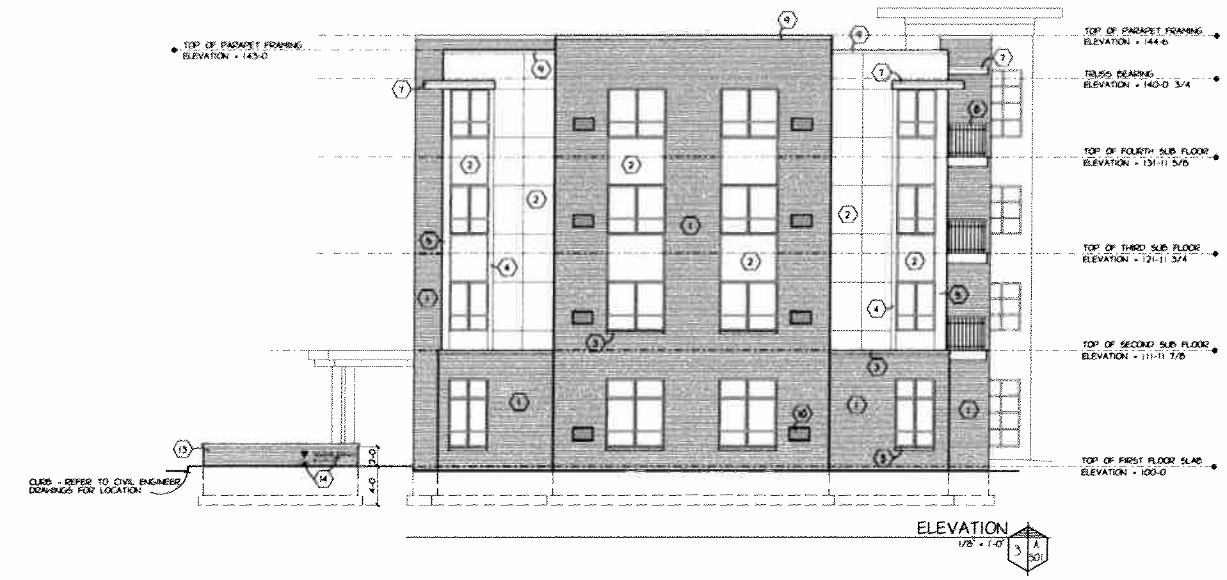
PROJECT
080101

SHEET NO

1/8" EXTERIOR ELEVATIONS A500

PLOT DRAWING FOR: FILE: 080101 SHILOH MANOR - MUNICIPAL SUBMITTAL SET.DWG
PLOTTED ON 8.31.2009 BY DRK USING PLOT STYLE: AG-BW.CTB PAPER SIZE: 24x36
DRAWING SCALE: 1/8" = 1'-0" DRAWING: A500 EXTERIOR ELEVATIONS





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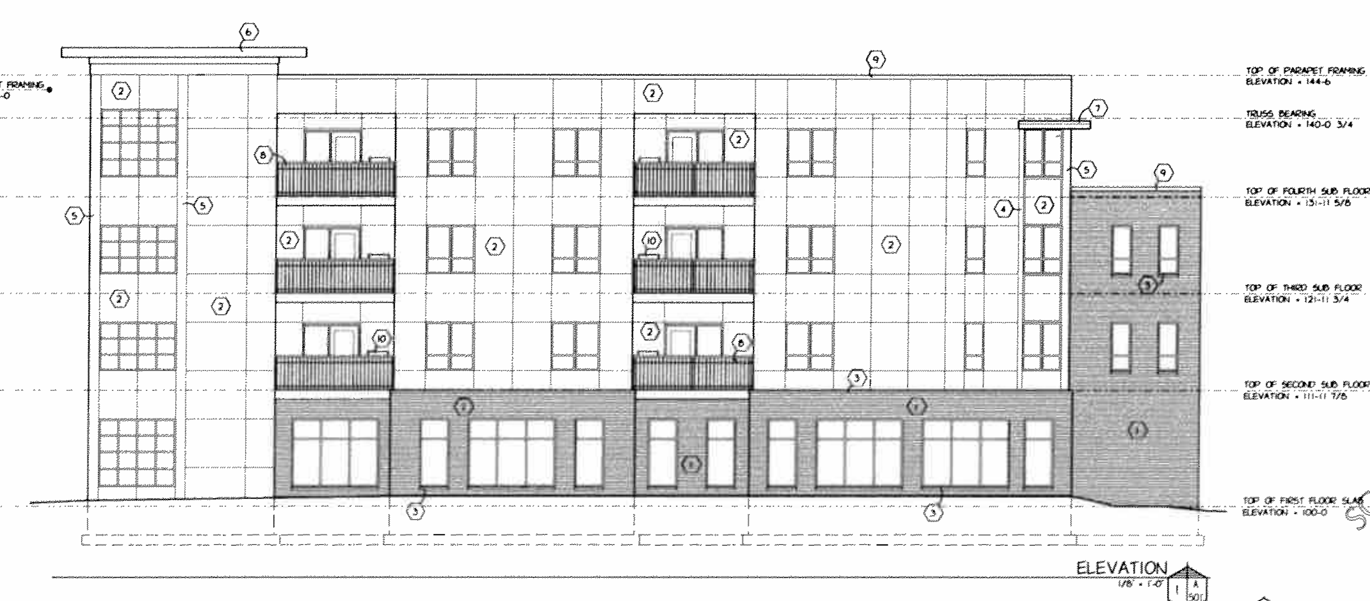
9. BRUSHED ALUMINUM COPING
10. A/C UNIT (THROUGH-WALL)
11. BRUSHED ALUMINUM COLUMN COVER
12. CONCRETE COLUMN BASE
13. BRICK WALL w/ CAST STONE CAP - BRICK TO MATCH BUILDING
14. APPLIED SIGNAGE BY SIGN CONTRACTOR



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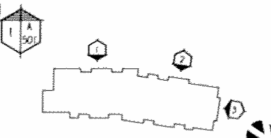

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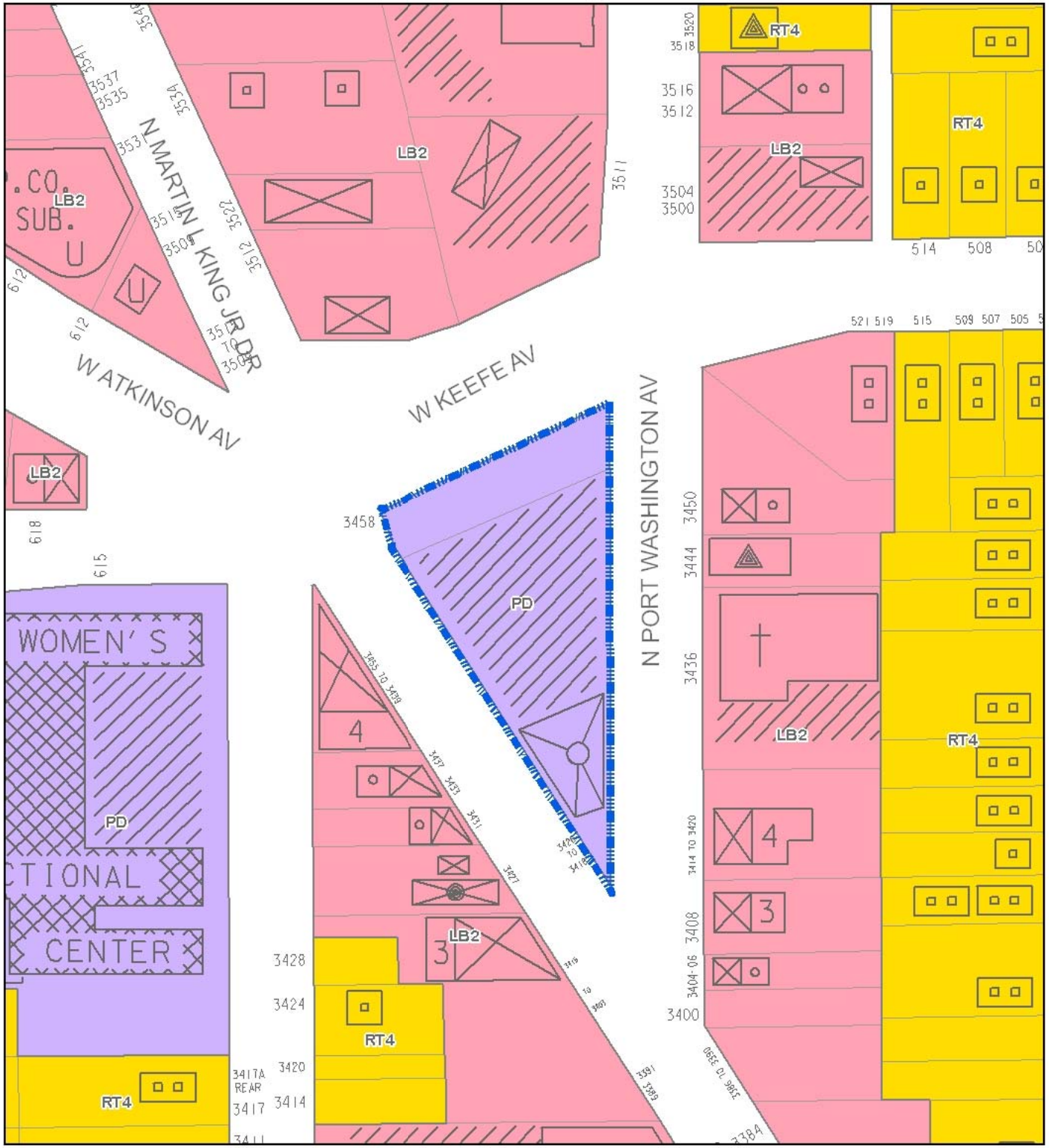
DATE 31 AUG 2009
PROJECT 080101
SHEET NO

1/8" EXTERIOR ELEVATIONS

A501



FN 090216
GPD to DPD
Shiloh Manor
July 2009

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)

N

0 50 100 200 Feet

Data source: Department of City Development 2009

September 21, 2009

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

Dear Committee Members:

File No. 090216 relates to a change in zoning from General Planned Development (GPD) to Detailed Planned Development (DPD) known as Shiloh Manor, for a 45 unit housing development for seniors, on lands located East of North Dr. Martin Luther King Jr. Drive and South of West Keefe Avenue, in the 6th Aldermanic District.

This zoning change will allow for the construction of a four-story building with 45 units of housing for seniors. A total of 42-one bedroom units and 3-two bedroom units will be constructed. Many common areas will be supplied for the tenants, with the majority of the space being on the first floor. At least half of the building will be certified as a Residential Care Apartment Complex (RCAC). The RCAC portion will provide a combination of housing, meals and support services for people with long-term care needs.

On September 21, 2009, a public hearing was held and at that time nobody spoke in opposition. Since the proposed change complies with the Zoning Code and City plans for the area, the City Plan Commission at its regular meeting on September 21, 2009 recommended approval of the subject file, conditioned on finalizing the landscape plan and building and screening materials.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Milele Coggs

Address of parcel(s): 3418 N. Martin Luther King Jr. Dr.

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 [X] 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 [X]

   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 [X]

   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 [X]

   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 [X]

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 at Milwaukee, Wisconsin, this 2nd day of June, 2009.

Charles Jordan

Petitioner (signature)

Charles Jordan

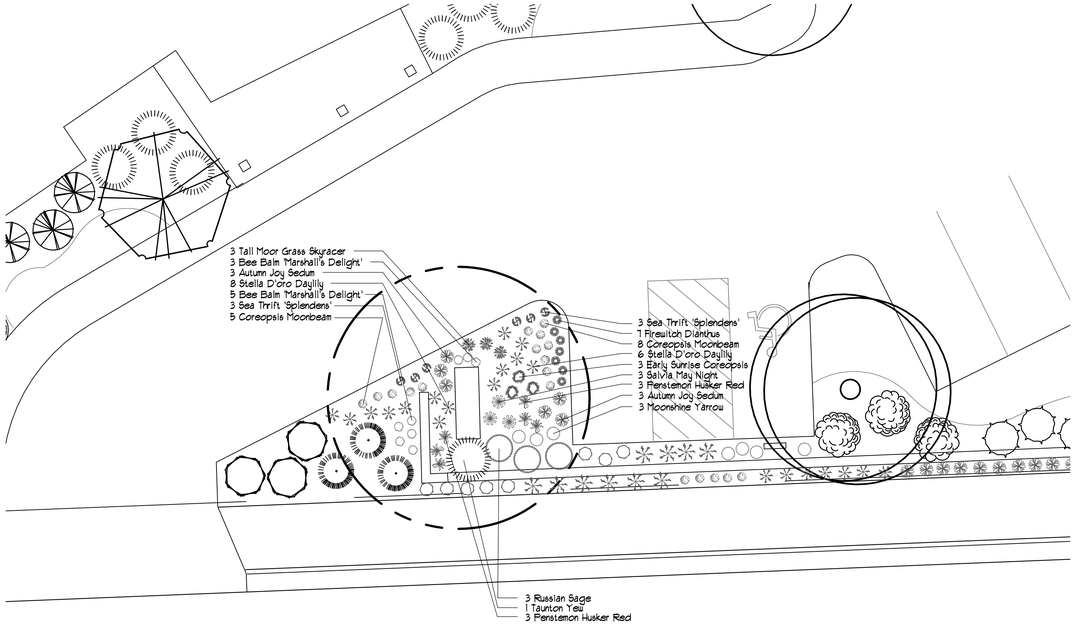
(print name, relationship to project)

Subscribed and sworn to before me
This 2nd day of June, 2009

Carole D. Tropio

Notary Public, State of Wisconsin
My commission expires: 9 August 2009

Office Use Only: File no. 090216



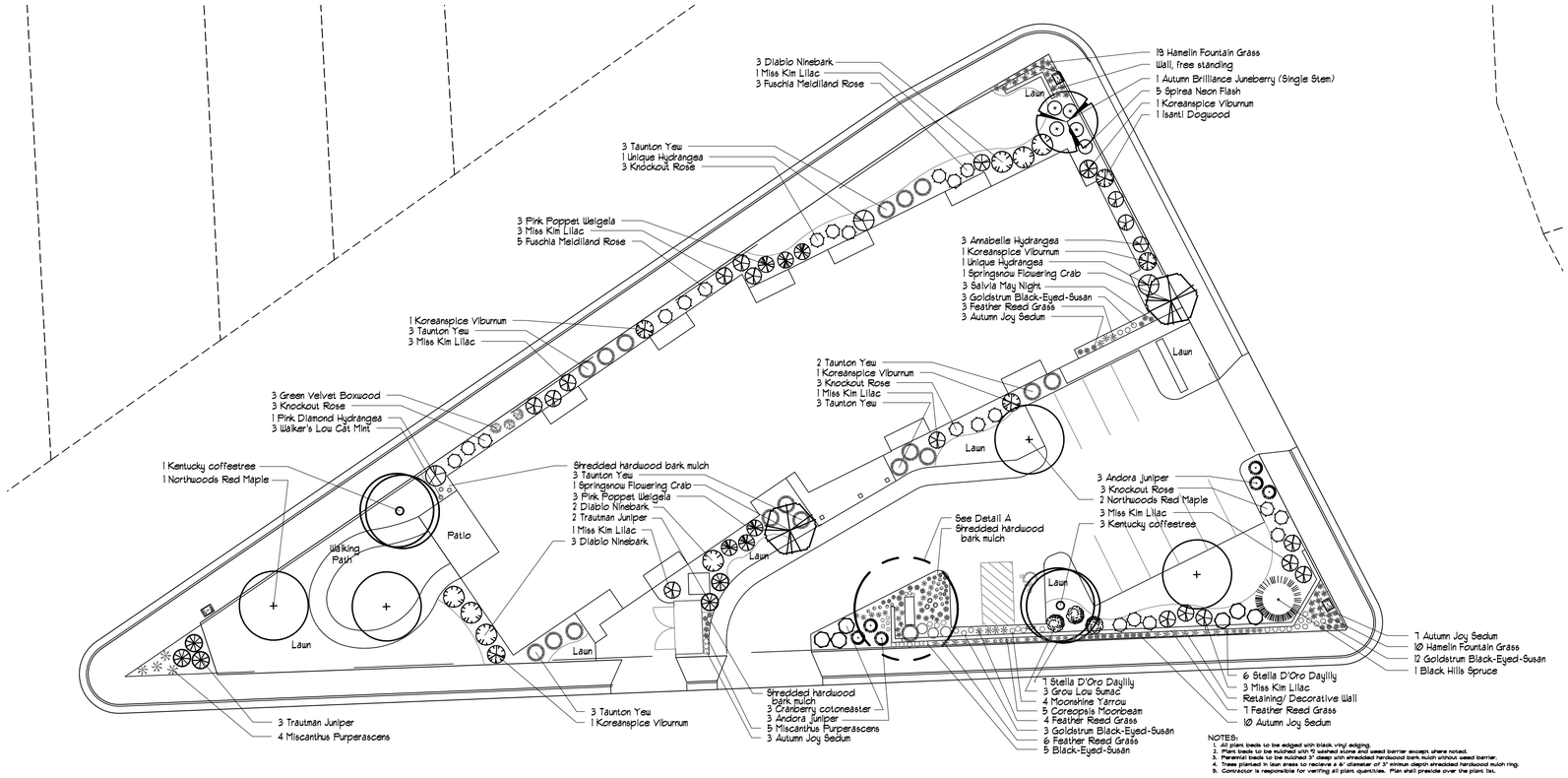
DETAIL A

SCALE 1/8"=1'-0"

4	2" BB	Acer rubrum 'Northwoods'	Northwoods Red Maple
1	7'	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Juneberry Single stem
5	#2	Buxus sempervirens 'Green Velvet'	Green Velvet Boxwood
6	#2	Cotoneaster apiculatus	Cranberry cotoneaster
1	3'	Cornus sericea 'Isanti'	Isanti Dogwood
3	#2	Fothergilla gardenii	Fothergilla 'Mt. Airy'
1	2" BB	Gleditsia triacanthos 'Skycole'	Skyline Honeylocust
2	2" BB	Gymnocladus dioica	Kentucky coffeetree
1	#1 Grade	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea
1	24"	Hydrangea paniculata 'Pink Diamond'	Pink Diamond Hydrangea
2	24"	Hydrangea paniculata 'Unique'	Unique Hydrangea
3	#2	Hypericum frondosum 'Sunburst'	Hypericum 'Sunburst'
5	4'	Juniperus chinensis 'Trautman'	Trautman Juniper
6	18"	Juniperus horizontalis 'Youngstown'	Andora juniper
2	1"	Malus 'Springsnow'	Springsnow Flowering Crab
8	3'	Physocarpus opulifolius 'Diablo'	Diablo Ninebark
3	18"	Rhus aromatica 'Grow Low'	Grow Low Sumac
6	2 Gal	Rosa 'Fuschia Meidiland'	Fuschia Meidiland Rose
12	2 Gal	Rosa 'Knockout'	Knockout Rose
5	18"	Spiraea bumalda 'Neon Flash'	Spirea Neon Flash
15	2-3'	Syringa patula 'Miss Kim'	Miss Kim Lilac
3	2" BB	Syringa reticulata 'Ivory Silk'	Ivory Silk Japanese Tree Lilac
18	18-24"	Taxus media 'Taunton'	Taunton Yew
5	#7	Viburnum carlesii	Koreanspice Viburnum
6	18"	Weigela 'Pink Poppet'	Pink Poppet Weigela

Perennial Plant List

Quantity	Planting Size	Scientific Name	Common Name
7	4.5"	Achillea 'Moonshine'	Moonshine Yarrow
6	4.5"	Armeria maritima 'Splendens'	Sea Thrift
20	#1	Calamagrostis x Kari Foerster	Feather Reed Grass
3	4.5"	Coreopsis 'Early Sunrise'	Early Sunrise Coreopsis
18	4.5"	Coreopsis verticillata 'Moonbeam'	Coreopsis Moonbeam
7	4.5"	Dianthus gratianopolitanus 'Firewitch'	Firewitch Dianthus
3	#1	Festuca ovina glauca	Blue fescue
27	#1	Hemerocallis 'Stella D'oro'	Stella D'oro Daylily
14	1-Gal	Miscanthus sinensis purpurascens	Miscanthus Purperascens
3	#1	Molinia arundinacea 'Skyracer'	Tall Moor Grass Skyracer
8	4.5"	Monarda didyma 'Greenview Scarlet'	Scarlet Bee Balm
3	4.5"	Nepeta 'Walker's Low'	Walker's Low Cat Mint
29	#1	Pennisetum alopecuroides 'Hamelin'	Hamelin Fountain Grass
6	4.5"	Penstemon digitalis 'Husker Red'	Penstemon Husker Red
3	#1	Perovskia atriplicifolia	Russian Sage
23	4.5"	Rudbeckia hirta 'Goldstrum'	Goldstrum Black-Eyed-Susan
6	4.5"	Salvia superba 'May Night'	Salvia May Night
32	#1	Sedum spectabile 'Autumn Joy'	Autumn Joy Sedum



NOTES:
1. All plant beds to be edged with black vinyl edging.
2. Plant beds to be mulched with 10 washed stone and weed barrier except where noted.
3. Perennial beds to be mulched 3" deep with shredded hardwood bark mulch without weed barrier.
4. Trees planted in lawn areas to recieve a 6' diameter of 3" minimum depth shredded hardwood mulch ring.
5. Contractor is responsible for verifing all plant quantities. Plan shall preside over the plant list.

LANDSCAPE ARCHITECTURE, LLC
Artistic landscape Design and Project Management
5806 South Hill Drive
Madison, Wisconsin 53705
Phone 608.798.1840 Fax 608.798.1653

LANDSCAPE PLAN

SHILOH MANOR AT FIVE POINTS

3418-3458 MARTIN LUTHER KING JR DRIVE
MILWAUKEE, WISCONSIN

NORTH

SCALE	1"=20'
DATE	7.22.09
DESIGN	kam
REVISION	8.27.09
	9.29.09

10745679

PROOF OF PUBLICATION

STATE OF WISCONSIN
MILWAUKEE COUNTY } SS

ANN E. RICHMOND, being the first duly sworn on oath, says that she is the publisher as of January 1, 2004, of THE DAILY REPORTER - that the notice of which the printed one attached is a true copy, which copy was clipped from said newspaper, was inserted and published in said newspaper on

09/21/2009 09/28/2009

Ann E. Richmond

Subscribed and sworn to before me

September 28, 2009

Notary Public, Milwaukee County, Wisconsin
My Commission Is Permanent

DAVID KNUTE ZIEMER NOTARY PUBLIC STATE OF WISCONSIN

C. NO. 24
FILE NUMBER 090216

OFFICIAL NOTICE
Published by Authority of the Common Council of the City of Milwaukee
Office of the City Clerk

Notice is hereby given that an ordinance that was introduced at the June 16, 2009 meeting of the Milwaukee Common Council, the essence of which is as follows:

Substitute ordinance relating to a change in zoning from General Planned Development to a Detailed Planned Development known as Shiloh Manor, for a 45-unit housing development for seniors, on land located East of North Dr. Martin Luther King Jr. Drive and South of West Keefe Avenue, in the 6th Aldermanic District.

The Mayor and Common Council of the City of Milwaukee ("Common Council"), do ordain as follows:

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

Section 295-907(2)(c).0147.

(1) In accordance with the provisions of Section 295-907 of the Code relating to the establishment of planned development districts, the Common Council approves the subject Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for the area described and bounded as follows:

The zoning line along the right-of-way of North Dr. Martin Luther King Jr. Drive, the zoning line along the right-of-way of North Port Washington Avenue and the zoning line along the right-of-way of West Keefe Avenue from General Planned Development (GPD) to Detailed Planned Development (DPD).

(3) The requirements set forth in said detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

Notice is hereby further given that the foregoing matter will be given a public hearing by the Committee on Zoning, Neighborhoods and Development in Room 301-B, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, on Tuesday, October 6, 2009 at 9:00 A.M., pursuant to the provision of Sub-Section (7)(d) of Section 62.23 of the Revised Statutes of the State of Wisconsin.

PLEASE NOTE: a) Members of the Common Council, and members of its Standing Committees who are not members of this Committee, may attend this meeting to participate or to gather information. Therefore, notice is given that this meeting may constitute a meeting of the Common Council or any of its Standing Committees, and must be noticed as such, although they will not take any formal action at this meeting.

b) If you have difficulty with the English language, you may bring an interpreter with you, at your own expense, so that you can answer questions and participate in the hearing.

c) Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other 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 ADA Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

d) 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.

e) This meeting will be web-cast live at www.milwaukee.gov/channel25.

RONALD D. LEONHARDT,
City Clerk.

10745679/9-21-28

NOTICES SENT TO FOR FILE : 090216

NAME	ADDRESS	DATE NOTICE SENT		
Ald. Coggs	CC-CC	10/1/09		
Vanessa Koster	DCD	x		
See attached labels		9/30/09		

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090700 **Version:** 0		
Type:	Resolution	**Status:**	In Committee
File created:	9/22/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			

Title: Resolution approving the blight designation and acquisition of the City-owned brownfield at 1027 North Edison Street for acquisition and remediation by the Redevelopment Authority of the City of Milwaukee, authorizing assignment to the Redevelopment Authority of the City's Option to Purchase with Edison Green, LLC and authorizing acceptance of public access and utility easements, in the 4th Aldermanic District.

Sponsors: ALD. BAUMAN

Indexes: BLIGHT DECLARATION, BLIGHTED PROPERTY ACQUISITION, CITY PROPERTY, ENVIRONMENT, REDEVELOPMENT AUTHORITY

Attachments: Blight Desgination Summary and Land Disposition Report.pdf, Fiscal Analysis, Fiscal Note.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090700
Version
ORIGINAL
Reference
090213
Sponsor
ALD. BAUMAN
Title
Resolution approving the blight designation and acquisition of the City-owned brownfield at 1027 North Edison Street for acquisition and remediation by the Redevelopment Authority of the City of Milwaukee, authorizing assignment to the Redevelopment Authority of the City's Option to Purchase with Edison Green, LLC and authorizing acceptance of public access and utility easements, in the 4th Aldermanic District.
Analysis
Adoption of this resolution by at least two-thirds vote of the Common Council of the City of Milwaukee will approve the blight designation of City-owned property for acquisition by the Redevelopment Authority of the City of Milwaukee pursuant to Section 66.1333, Wisconsin Statutes, authorize assignment of the City's Option to Purchase to the Redevelopment Authority and authorize acceptance of easements.
Body
Whereas, By adoption of File No. 090213, the Common Council of the City of Milwaukee ("Council") approved extension of the Option to Purchase with Edison Green, LLC ("Edison") for the City-owned property at 1027 North Edison Street for commercial development; and

Whereas, Due diligence activities prior to purchase revealed that the property had environmental impacts associated with a use prior to City ownership; and

Whereas, The Redevelopment Authority of the City of Milwaukee ("Authority") has identified a Brownfield Clean Up Grant from the U.S. Environmental Protection Agency ("EPA") as a potential funding source for remediation, but it must be the property owner to submit a grant application; and

Whereas, For the Authority to acquire property that is not located in a redevelopment project area, the Authority must hold a public hearing and declare the property blighted pursuant to Section 66.1333, Wisconsin Statutes; and

Whereas, The Authority held a public hearing on September 17, 2009, after which it determined the property at 1027 North Edison Street met the statutory definition of blighted, as summarized in a Blight Designation Summary and Land Disposition Report ("Report"), a copy of which is attached to this Council File, and requested Council approval of the blight designation and property acquisition by the Authority; and

Whereas, The Authority also agreed to receive assignment of the City's Option to Purchase with Edison and the public hearing conducted on September 17, 2009, also addressed the disposition of the property as required by Wisconsin Statutes and as summarized in the Report; and

Whereas, The property contains a public plaza and pedestrian way and several underground utilities that should be converted to formal easements; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City-owned property at 1027 North Edison Street is declared blighted pursuant to Section 66.1333, Wisconsin Statutes; and, be it

Further Resolved, That the Commissioner of the Department of City Development, or designee, is authorized to transfer the property to the Authority without monetary consideration; and, be it

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Further Resolved, That the City is authorized to assign the Option to Purchase with Edison to the Authority, which shall close the transaction as summarized in the Report; and, be it

Further Resolved, That upon closing, the sale proceeds, less sale expenses and a 30 percent fee to the Authority, shall be deposited in the City's General Fund; and, be it

Further Resolved, That the City is authorized to accept easements from the Authority for public access and underground utilities.
Drafter
DCD-Redevelopment Authority
EMM:bmm
09/22/09/B

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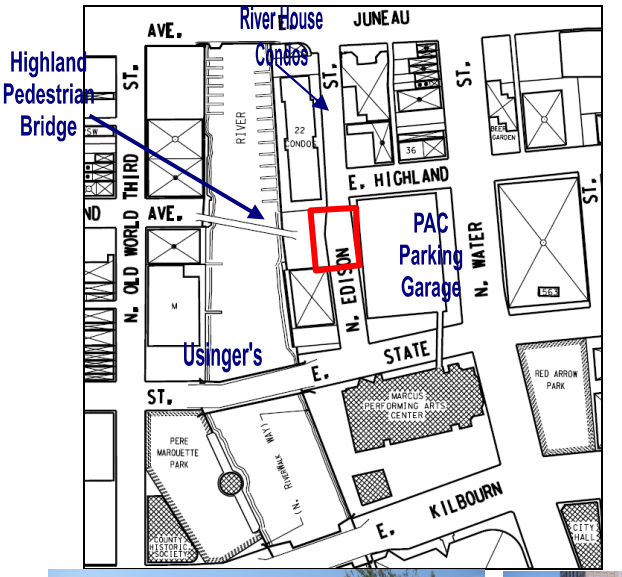
BLIGHT DESIGNATION SUMMARY & LAND DISPOSITION REPORT
REDEVELOPMENT AUTHORITY AND
COMMON COUNCIL OF THE CITY OF MILWAUKEE

RESPONSIBLE STAFF
Dan Casanova, Economic Development (286-5921) & Karen Dettmer, Environmental Staff (286-5642)

PROPOSED ACTION
Declare the City-owned property at 1027 North Edison Street blighted pursuant to Chapter 66.1333, Wisconsin Statutes, for acquisition by the Redevelopment Authority. Ownership by the Authority is a requirement for application to the U.S. Environmental Projection Agency ("EPA") for a Brownfield Clean-Up Grant. This action also permits assignment from the City to the Authority of the Option to Purchase with Edison Green, LLC and to authorize utility and access easements between the City and Redevelopment Authority.

BACKGROUND/ENVIRONMENTAL CONDITION
The Common Council approved the sale of 1027 North Edison Street to Edison Green, LLC in December 2007 after publishing a Request for Proposal. The option was extended in July 2009. Predevelopment investigations revealed that the site is impacted with polycyclic aromatic hydrocarbons (PAH's) and metals associated with the fill material on the site and former use as a coal handling operation. The remediation strategy may involve soil removal and/or an engineered cap.

PROPERTY
1027 North Edison Street: a 19,985 SF vacant lot with 172' of frontage on Edison Street and the Milwaukee River. The lot was acquired in 1932 for snow storage and was last used as a City employee parking lot. Recently the site was used for staging Riverwalk and bridge construction. The property now has a public plaza and access area for the Milwaukee River Pedestrian Bridge.



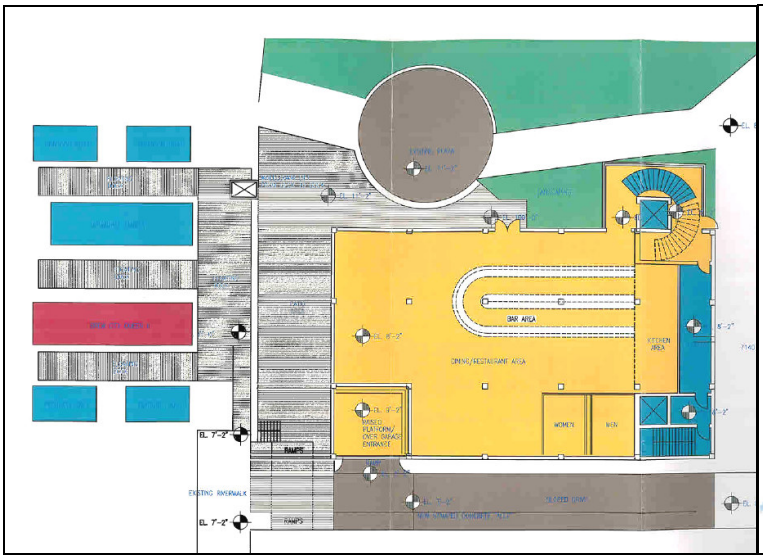
View from Edison Street

View from Pedestrian Bridge

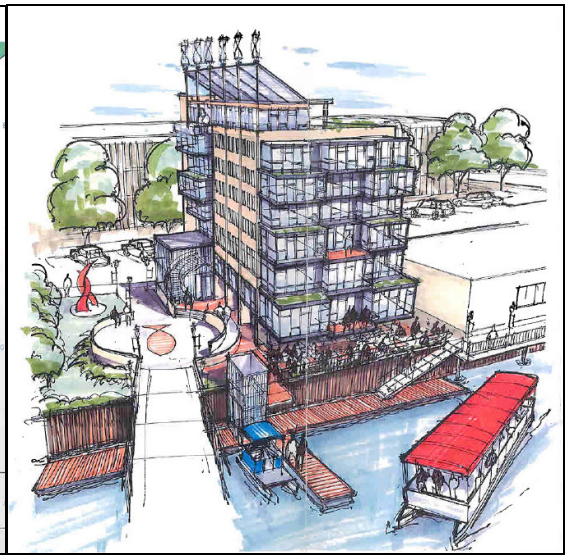
Public Plaza/Access Area

REDEVELOPER
Edison Green, LLC, a new entity created by Russell Davis. Russell Davis owns and operates Café Vecchio Mondo on Old World Third Street and is co-owner of Riverwalk Boat Rentals. He also manages the Lakefront Palm Garden at the Lakefront Brewery.

PROPERTY USE
Construction of an eight-story, mixed-use building and Riverwalk segment. The building will contain a restaurant on the first floor, a banquet hall on the second floor, office condominiums on the third floor and residential condominiums on floors four through eight. The project also will have one level of underground parking. The building will contain many "sustainable" building concepts such as a green roof and rain garden. A public Riverwalk will be constructed along the river frontage connecting the existing Riverwalk segment to the south with the Highland Avenue pedestrian bridge and docks will be built for tour boats. The project will create 35 full-time jobs paying an average wage of $26/hour. Estimated project costs are approximately $10.6 million and Edison Green will be meeting the City's 25% EBE requirement for the full project. The portion of the property to the north of the Highland Avenue pedestrian bridge will remain an open public green space.



Preliminary Site Plan



Preliminary Rendering

OFFER TERMS AND CONDITIONS
The property will be sold for $512,000. The original offer price was $540,000, but was reduced by $28,000 due to a permanent access easement that will be executed allowing access to the property owners to the north. A Purchase, Sale and Development Agreement for the full project will be entered into with Edison Green, LLC, including a $10,000 Performance Deposit due at closing. Buyer was given a twelve-month option period for a $10,000 Option Fee in July 2009. Closing will occur after initial remediation by the Authority and once the Buyer has final plans approved for permitting and financing in place. Construction will be expected to commence within three months of closing and the Buyer will have 18 months to complete construction.

LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS

ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
OCTOBER 6, 2009
Item 5, File #090700

File Number 090700 declares the City-owned property at 1027 N. Edison Street blighted and authorizes the Commissioner of City Development to transfer this property to the Redevelopment Authority.

Background

1. The City has owned the 19,985-square-foot lot at 1027 N. Edison Street since 1932. This property has been used for snow storage and, more recently, as a parking lot for City employees. It was also used as a construction-staging are for the RiverWalk and the Highland Avenue pedestrian bridge.

2. On December 11, 2007, the Common Council adopted File No. 071131, a resolution approving the sale of this property to Edison Green, LLC, for construction of a mixed-use building. However, due to poor economic conditions, Edison Green, LLC was unable to perform within the option-to-purchase period originally granted. On July 7, 2009, via File No. 090213, the Common Council granted a 12-month extension to Edison Green, LLC, for purchase of this property.

3. Pre-development environmental investigation of this parcel revealed the presence of polycyclic aromatic hydrocarbons and metals (dating from uses of the property prior to City ownership) which may need to be remediated through soil removal and/or an engineered cap. The Redevelopment Authority of the City of Milwaukee ("RACM") has identified a U.S. Environmental Protection Agency Brownfield Clean-Up Grant as a potential funding source for remediation, but RACM must be the property owner in order for it to submit a grant application.

Discussion

1. This resolution declares the City-owned property at 1027 N. Edison Street blighted and directs the Commissioner of City Development to transfer this property to the Redevelopment Authority of the City of Milwaukee ("RACM") without monetary consideration.

2. The transfer of the property to RACM also assigns the City's option-to-purchase with Edison Green, LLC, to RACM.

3. The resolution also authorizes the City to accept easements from RACM for underground utilities and the public plaza and pedestrian way already located on the property.

4. Upon acquiring this property from RACM, Edison Green, LLC, intends to construct an 8-story, mixed-use building along with a new public RiverWalk segment along the river frontage of the property.

Fiscal Impact

1. The land disposition report in the file indicates that the property will be sold to Edison Green, LLC, for $512,000. Closing will occur after RACM has completed initial environmental remediation of the property and once the buyer has received approval of final construction plans and has financing in place.

2. The resolution and the land disposition report stipulate that, upon closing of the sale, the sale proceeds, less sale expenses and a 30% fee to RACM, shall be deposited in the City's General Fund.

Prepared by: Jeff Osterman, x2262
LRB-Research & Analysis Section
October 2, 2009

cc: Rocky Marcoux
Martha Brown
Joe'Mar Hooper
Elaine Miller
Marianne Walsh

CC-170 (REV. 6/86)

CITY OF MILWAUKEE FISCAL NOTE

A) DATE September 22, 2009 **FILE NUMBER:**

Original Fiscal Note [X] Substitute [ ]

SUBJECT: Resolution approving the blight designation and acquisition of the City-owned brownfield at 1027 North Edison Street for acquisition and remediation by the Redevelopment Authority of the City of Milwaukee, authorizing assignment to the Redevelopment Authority of the City's Option to Purchase with Edison Green, LLC and authorizing acceptance of public access and utility easements, in the 4th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): David P. Misky, Assistant Executive Director-Secretary

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)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] OTHER (SPECIFY)
- [ ] CONTINGENT FUND (CF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] GRANT & AID ACCOUNTS (G & AA)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Option to Purchase	General Fund		$512,000 (less sale expenses and a 30% fee to RACM)	
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**.

[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 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 : 090700

NAME	ADDRESS	DATE NOTICE SENT		
Elaine Miller	DCD	10/1/09		
Dan Casanova	DCD	x		
Ald. Bauman	CC-CC	x		

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090702 **Version:** 0		
Type:	Resolution	**Status:**	In Committee
File created:	9/22/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			
Title:	Resolution approving the blight designation and acquisition of the privately owned property at 1922-24 North 39th Street and the City-owned lot at 1926 North 39th Street to assemble the land for future housing development, in the 15th Aldermanic District.		
Sponsors:	ALD. HINES JR.		
Indexes:	BLIGHT DECLARATION, BLIGHTED PROPERTY ACQUISITION, CITY PROPERTY, HOUSING		
Attachments:	Blight Designation Summary.pdf, Fiscal Note.pdf, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090702

Version
ORIGINAL

Reference

Sponsor
ALD. HINES

Title
Resolution approving the blight designation and acquisition of the privately owned property at 1922-24 North 39th Street and the City-owned lot at 1926 North 39th Street to assemble the land for future housing development, in the 15th Aldermanic District.

Analysis
Adoption of this resolution by at least two-thirds vote of the Common Council of the City of Milwaukee will approve the blight designation and acquisition of the subject privately owned and City-owned property by the Redevelopment Authority of the City of Milwaukee utilizing the procedures set forth in Section 66.1333, Wisconsin Statutes.

Body
Whereas, Section 66.1333(5)(c), Wisconsin Statutes, as amended, enables the Redevelopment Authority of the City of Milwaukee ("Authority"), with the approval of the Common Council of the City of Milwaukee ("Council"), to acquire blighted property without designating a boundary or adopting a redevelopment plan; and

Whereas, The Authority proposes to acquire the privately owned property at 1922-24 North 39th Street and the City-owned lot at 1926 North 39th Street to continue revitalization efforts in the Washington Park neighborhood, as outlined in a Blight Designation Summary, a copy of which is attached to this Common Council File; and

Whereas, The Community Development Grants Administration has provided the Authority with funds to carry out such acquisitions; and

Whereas, Proper notice was given to the property owners, or the right to such notice was waived, and a public hearing was conducted on September 17, 2009 by the Authority pursuant to Wisconsin Statutes, after which the Authority determined the properties to be blighted within the meaning of Section 66.1333(2m)(bm), Wisconsin Statutes, as amended, and requested approval of these acquisitions by the Council; and

Whereas, The Council is cognizant of the conditions that are imposed in the undertaking and carrying out of redevelopment activities under Wisconsin law and the Act, including those pertaining to relocation payments and assistance, and to the prohibition of discrimination because of race, color, creed or national origin; now, therefore, be it

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

1. The privately owned property at 1922-24 North 39th Street and the City-owned lot at 1926 North 39th Street are blighted within the meaning of Section 66.1333(2m)(bm), Wisconsin Statutes, as amended.

2. The objectives of the Authority cannot be achieved solely through rehabilitation of these properties.

3. These acquisitions are feasible and conform to the general plan of the City.

4. Financial assistance to the Authority is available from the Community Development Grants Administration to acquire the property; and, be it

Further Resolved, That these acquisitions are approved and the Council:

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1. Pledges its cooperation in helping to carry out these acquisitions.

2. Directs that no new construction shall be permitted or authorized at these properties by any agencies, boards or commissions of the City under local codes or ordinances unless as authorized by the Council under Section 66.1333(6)(e), Wisconsin Statutes.

3. Directs the various public officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the objectives of these acquisitions.

4. Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate these acquisitions; and, be it

Further Resolved, That the City Clerk is directed to transmit a certified copy of this resolution to the Commissioner of the Department of Public Works, the Commissioner of the Department of Neighborhood Services, the City Engineer, the Assessment Commissioner, the Director of the Community Development Grants Administration, the Redevelopment Authority of the City of Milwaukee and to such other agencies, boards and commissions of the City having administrative jurisdiction in the premises described above; and, be it

Further Resolved, That upon Council approval of this resolution and upon execution of the necessary funding agreements, the Authority is requested to proceed with acquisition of the private property as provided in Section 66.1333, Wisconsin Statutes; and, be it

Further Resolved, That the Commissioner of the Department of City Development, or designee, is authorized to convey the City-owned vacant lot at 1926 North 39th Street to the Authority for no monetary consideration and to assemble the lot with the adjacent property for marketing and redevelopment upon approval of the local alderperson.

Drafter
DCD-Redevelopment Authority
EMM:bmm
09/22/09/A

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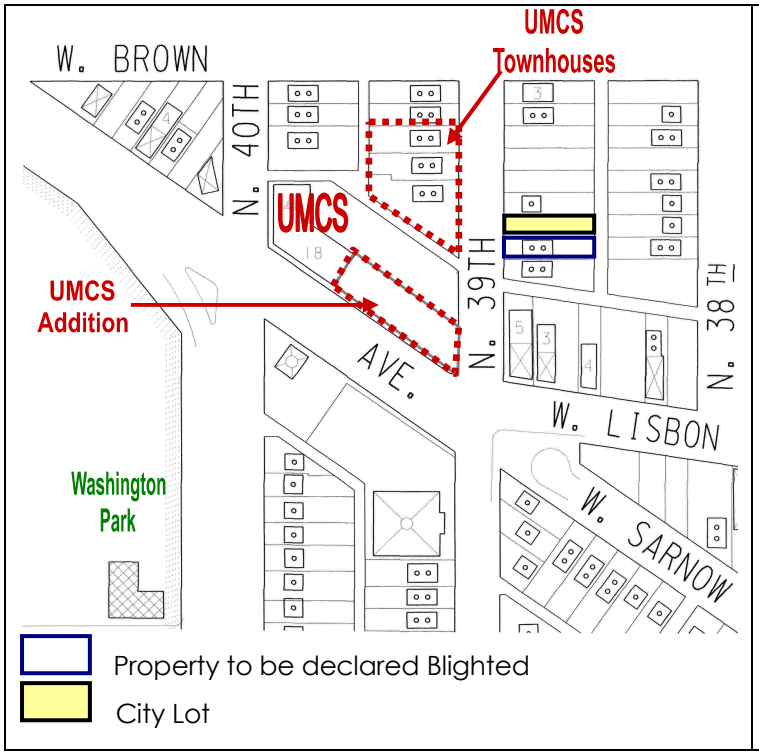
BLIGHT DESIGNATION SUMMARY
REDEVELOPMENT AUTHORITY AND
COMMON COUNCIL OF THE CITY OF MILWAUKEE

DATE
September 17, 2009

RESPONSIBLE STAFF
Elaine Miller, Real Estate Section (286-5732)

PROPOSED ACTIVITY
Declare a privately owned, foreclosed property in the Washington Park neighborhood blighted for acquisition using Community Development Block Grant/Spot Acquisition funds. This action also would authorize acquisition of the adjacent City-owned vacant lot in order to assemble a development site through a certified survey map.

The acquisitions target a foreclosed property across the street from a major redevelopment by United Methodist Children's Services. In 2007, the City sold land for UMCS townhomes – three side-by-side affordable duplexes. In 2008, the Authority helped facilitate expansion of UMCS's current building at 3940 West Lisbon by acquiring a blighted house at 3916 West Lisbon. The house and the adjacent City lot were conveyed to UMCS in December 2008 and construction is underway on the addition that will contain 24 affordable apartments and community space.



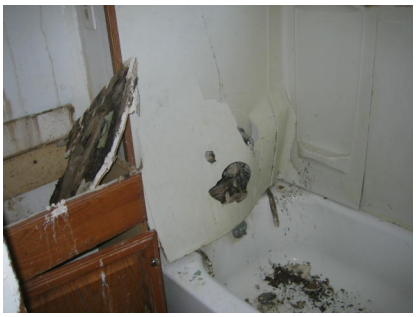
1922-24 North 39th Street

Owner: Federal National Mortgage Association (Fannie Mae) (2008 foreclosure)

Description: 2,476 SF duplex situated on a 3,600 SF lot. The house is vacant, partially boarded and with evidence of exterior and interior deferred maintenance. The underlying lot is unbuildable and situated South of a City-owned vacant lot, 1926 North 39th Street. The building condition and vacant status adversely affects UMCS's investment in the neighborhood.

Assessment: $67,600

Tax Status: Current
Code Status: Some exterior, unabated violations.
Condition: Poor. All mechanicals and plumbing fixtures have been stripped from the house. Water damage is extensive as evidenced by warped floors and wall and ceiling damage. Exterior repairs include roof repair, window replacement, porch modification and foundation repair.



After acquisition, the structure will be demolished and the land assembled with the adjacent City lot to create a development site. The Authority will attempt acquisition of the adjacent foreclosed home at 1920 North 39th Street. The Authority will discuss potential development with UMCS or will market the lot for single-family infill housing.

BLIGHT FINDING

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

- The house is in very poor condition, renovation costs would likely exceed the property value and the property condition has a negative impact on surrounding properties.
- The lots are undersized and have obsolete platting in relation to current development practices.
- The vacant status negatively impacts the surrounding neighborhood.

OFFER TO PURCHASE

Authority staff has reached verbal agreement with Fannie Mae to acquire the property for $7,000. The property had been listed for sale for $19,000. Fannie Mae requires a limited offer period with closing to occur on or before October 30th. The submitted offer is contingent on the Authority and the Common Council approving the blight designation and property acquisition.

FUTURE ACTIONS

Upon approval by the Redevelopment Authority and the Common Council, the Redevelopment Authority will close the transaction according to the terms of the Offer to Purchase. A deed for the adjoining City lot shall be executed by the Commissioner of the Department of City Development, or designee, for no monetary consideration.

CC-170 (REV. 6/86)

CITY OF MILWAUKEE FISCAL NOTE

A) DATE September 22, 2009 **FILE NUMBER:**

Original Fiscal Note [X] Substitute [ ]

SUBJECT: Resolution approving the blight designation and acquisition of the privately owned property at 1922-24 North 39th Street and the City-owned lot at 1926 North 39th Street to assemble the land for future housing development, in the 15th 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.
- [X] NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:

- [ ] DEPARTMENT ACCOUNT(DA)
- [ ] CAPITAL PROJECTS FUND (CPF)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] OTHER (SPECIFY)
- [ ] CONTINGENT FUND (CF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] GRANT & AID ACCOUNTS (G & AA)

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**.

[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 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 : 090702

NAME	ADDRESS	DATE NOTICE SENT		
Elaine Miller	DCD	10/1/09		
Ald. Hines, Jr.	CC-CC	x		
Alex Runner	CC-CC	x		
Federal National Mortgage Association	400 Countrywide Way Simi Valley, CA 93065	x		
Kenneth C. Martinez	N78 W14573 Appleton Ave. #178 Menomonee Falls, WI 53051	x		

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090235 **Version:** 1		
Type:	Resolution	**Status:**	In Committee
File created:	6/16/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			
Title:	Substitute resolution approving a Grant Agreement and providing funding for improvements to 608 West Mitchell Street in Tax Incremental District No. 71, Mitchell Street, in the 12th Aldermanic District.		
Sponsors:	ALD. WITKOWIAK		
Indexes:	AGREEMENTS, REDEVELOPMENT AUTHORITY, TAX INCREMENTAL DISTRICTS		
Attachments:	Proposed Sub A, Photo-Current Facade, Elevation-New Facade, Grant Agreement as of 9-28-09, Fiscal Analysis, Substitute Fiscal Note, Fiscal Note, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
6/16/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/28/2009	1	CITY CLERK	DRAFT SUBMITTED		
10/1/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090235
Version
SUBSTITUTE 1
Reference
071132
Sponsor
ALD. WITKOWIAK
Title
Substitute resolution approving a Grant Agreement and providing funding for improvements to 608 West Mitchell Street in Tax Incremental District No. 71, Mitchell Street, in the 12th Aldermanic District.
Analysis
This substitute resolution authorizes funding of a grant in the amount of $73,800 from TID No. 71 for facade replacement, range hood replacement and upgrades to the HVAC system at the currently vacant restaurant property at 608 West Mitchell Street.
Body
Whereas, The City of Milwaukee and the Redevelopment Authority of the City of Milwaukee ("RACM") have created Tax Incremental District No. 71 ("TID" or "District") with the adoption of their respective resolutions, No. 071132 and No. 9969. The District consists of 281 properties located along, and generally one block north and south of West Mitchell Street between South 5th Street and South 16th Street, plus a commercial area south of West Forest Home Avenue between South 13th Street and South 15th Street. The District contains nearly 2.3 million square feet of land area, excluding public rights-of-way, and encompasses the Historic Mitchell Street commercial district, including immediately adjacent residential areas and parking lots, which serve the retail businesses on the street; and

Whereas, Funding provided by the Project Plan for the District totals $3,118,000 for the purposes of upgrading pedestrian lighting, installing median irrigation, security cameras and tree grates, along with funds for grants or loans to assist with catalytic private development opportunities in the District; and

Whereas, One of the catalytic projects proposed in the District is the restoration and renovation of the vacant restaurant at 608 West Mitchell Street; and

Whereas, Renovations for this property are estimated to cost $164,000 and include replacing the entire facade, replacing the restaurant's range hood and upgrading the HVAC system; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that a Grant Agreement with RACM, a copy of which is attached to this Common Council File, is approved and the proper City officials are directed to execute said Agreement and to provide a grant to the 608 West Mitchell Street project on terms set forth in the Term Sheet attached to the Agreement as Exhibit A; and, be it

Further Resolved, That the City Comptroller is directed to establish such accounts and provide such funding from the Mitchell Street TID, as provided in the Grant Agreement.
Drafter
DCD:JS:js
09/25/09

powered by Legistar™

..Number
090235
..Version
Proposed Substitute A
..Reference
071132
..Sponsor
ALD. WITKOWIAK

..Title
Substitute resolution approving a Grant Agreement and providing funding for improvements to 608 West Mitchell Street in Tax Incremental District No. 71, Mitchell Street, in the 12th Aldermanic District.

..Analysis
This resolution authorizes funding of a grant in the amount of $82,000 from TID 71 for façade replacement and upgrades to the HVAC system at the currently vacant restaurant property at 608 W. Mitchell St.

..Body
WHEREAS, the City and RACM have created Tax Incremental District No. 71 (Mitchell Street) (''District'') with the adoption of their respective resolutions No. 071132 and No. 9969. The District consists of 281 properties located along, and generally one block north and south of W. Mitchell Street between S. 5th Street and S. 16th Street, plus a commercial area south of W. Forest Home Ave. between S. 13th Street and S. 15th Street. The District contains nearly 2.3 million s.f. of land area, excluding public rights-of-way, and encompasses the Historic Mitchell Street commercial district, including immediately adjacent residential areas, and parking lots which serve the retail business on the Street; and

WHEREAS, Funding provided by the Project Plan for the District totals $3,118,000 for the purposes of upgrading pedestrian lighting, installing median irrigation, security cameras, and tree grates, along with funds for grants or loans to assist with catalytic private development opportunities in the District; and

WHEREAS, One of the catalytic projects proposed in the District the restoration and renovation of the vacant restaurant at 608 W. Mitchell St.; and

WHEREAS, renovations for this property are estimated to cost $164,000 and include replacing the entire façade, replacing the restaurants range hood, and upgrading the HVAC system; now, therefore, be it

RESOLVED, by the City of Milwaukee, that the Grant Agreement with the Redevelopment Authority, attached hereto, is hereby approved, and the proper City officers are authorized and directed to execute said Agreement and to provide a grant to the 608 W. Mitchell St. project on terms set forth in the Term Sheet attached as **Exhibit ''A''**; and, be it

FURTHER RESOLVED, that the City Comptroller is authorized and directed to establish such accounts and provide such funding from the Mitchell St. TID, as provided in the Grant Agreement.

DCD:JS:js
9/28/09

Cabaña
FOR LEASE

Note:
All measurements and all window sizes must be verified in field before any material is purchased or cut.

• IMPORTANT NOTE:
THESE DRAWINGS PROVIDE THE INFORMATION NECESSARY FOR CONTRACTORS' BIDS. BEFORE STARTING THE PROJECT, CONSULT WITH HPC STAFF TO DETERMINE WHICH ADDITIONAL DETAILS ARE NEEDED.
HPC OFFICE: (414) 286-5706 OR (414) 286-5712

• ALL EXTERIOR WOOD FOR STOREFRONT SHOULD BE CLEAR (PREFERABLY QUARTER SAWN) FREE OF KNOTS AND SAPWOOD, AND NATURALLY DECAY-RESISTANT WHICH INCLUDES SUCH SPECIES AS CYPRESS, MAHOGANY, WHITE OAK, RED WOOD, WESTERN RED CEDAR, ATLANTIC WHITE CEDAR.

• ALL GLASS MUST BE CLEAR- NO LOW E OR TINTED: LAMINATED GLASS SUCH AS SENTRY GLAS PLUS® IS RECOMMENDED FOR ALL FIRST FLOOR INSTALLATIONS.

• WOOD WILL BE PAINTED AS SOON AS POSSIBLE AFTER COMPLETION. PLEASE NOT RESEARCH HAS SHOWN THAT WHEN BARE WOOD IS EXPOSED TO THE ELEMENTS FOR A PERIOD OF A FEW WEEKS THE LIFE OF THE PAINT JOB SUBSEQUENTLY APPLIED OVER IT IS LIKELY TO BE DECREASED.

• SECOND FLOOR WINDOWS ARE WOOD. THEY ARE TO HAVE WOOD COMBINATION STORM/SCREEN WINDOW UNITS.

RECOMMEDED CONTRACTORS

- ANDY VERBESKI
  CUSTOM CRAFT
  (414) 405-1003
- FRANZ FISCHER
  R.F. FISCHER CONSTRUCTION
  (414) 257-9947

THE MILWAUKEE PRESERVATION PORTFOLIO ©

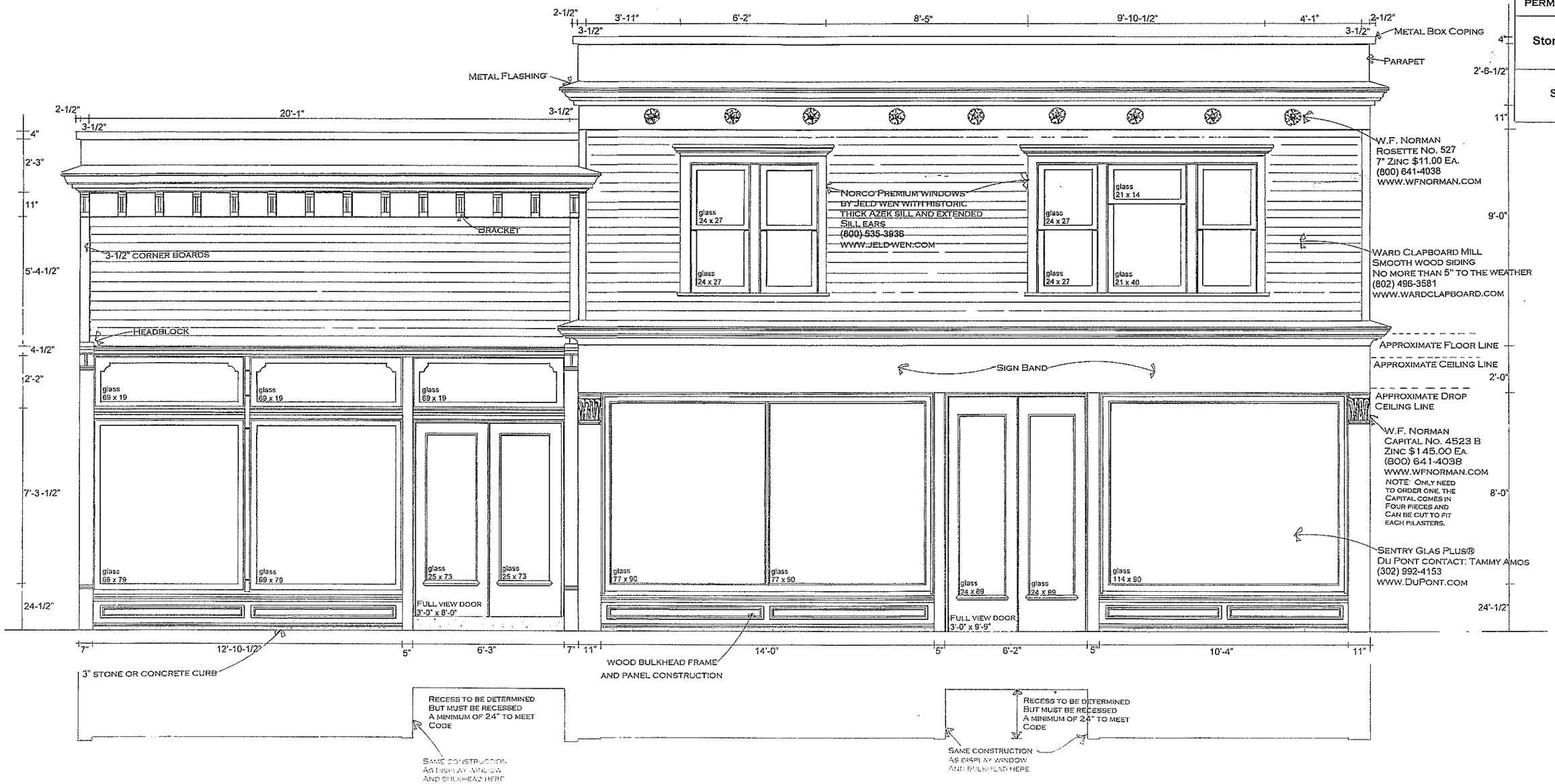
MILWAUKEE HISTORIC PRESERVATION COMMISSION
809 N. BROADWAY
MILWAUKEE, WI 53202
(414) 286-5705

608 W. Historic Mitchell Street

REPRODUCTION WITHOUT PERMISSION PROHIBITED

Storefront Elevation

Scale: ½" = 1'-0"



GRANT AGREEMENT

THIS GRANT AGREEMENT ("Agreement") is entered into as of _____, 2009, by and between the City of Milwaukee, Wisconsin, a Wisconsin municipal corporation ("City") and the Redevelopment Authority of the City of Milwaukee ("RACM").

WITNESSETH THAT:

WHEREAS, City and RACM have created Tax Incremental District No. 71 (Mitchell Street) ("District") with the adoption of their respective resolutions No. 071132 and No. 9969. The District consists of 281 properties located along, and generally one block north and south of W. Mitchell Street between S. 5th Street and S. 16th Street, plus a commercial area south of W. Forest Home Ave. between S. 13th Street and S. 15th Street. The District contains nearly 2.3 million s.f. of land area, excluding public rights-of-way, and encompasses the Historic Mitchell Street commercial district, including immediately adjacent residential areas, and parking lots which serve the retail business on the Street; and

WHEREAS, Funding provided by the Project Plan for the District totals $3,118,000 for the purposes of upgrading pedestrian lighting, installing median irrigation, security cameras, and tree grates, along with funds for grants or loans to assist with catalytic private development opportunities in the District; and

WHEREAS, One of the catalytic projects proposed in the District is the restoration and renovation of the vacant restaurant at 608 W. Mitchell St., owned by Demetra Coupoulos and Thomas Littman ("Owner"); and

WHEREAS, renovations for this property are estimated to cost as much at $164,000 and include replacing the entire façade, replacing the restaurant's range hood, and upgrading the HVAC system; and

WHEREAS, the Common Council adopted Resolution File No. _____ and RACM adopted Resolution No. 10129 authorizing the execution of this Agreement and the funding of a grant to Owner on terms set forth in the Term Sheet attached as **Exhibit "A"**;

NOW, THEREFORE, The parties hereto mutually agree as follows:

1. Grant to Owner. City agrees to provide up to $82,000 to RACM for the purposes of providing a Grant to the Owner on Terms set forth in Exhibit A, hereto.

2. Establishment of Fund Account. Funding for the Grant shall be provided from TID 71 Account No. TD07188001. The City Comptroller shall establish such funds and accounts in TID 71 as necessary to accomplish the transaction contemplated herein.

3. Administration of the Fund Account. The City Comptroller shall review and approve the accounting and financial reporting systems necessary to administer the Grant Account.

4. Verification by Comptroller. The City Comptroller shall, from time to time as in the Comptroller's judgment is appropriate, review the receipts and expenditures of RACM, or of management operations in relation to the Grant. The Comptroller shall have full power to conduct an audit or to have such an audit conducted as is necessary in the Comptroller's judgment to provide a full accounting to the City. The results of such audit shall be reported to the Common Council.

IN WITNESS WHEREOF, The parties have executed this Agreement the day and year as hereinafter set forth.

CITY OF MILWAUKEE	REDEVELOPMENT AUTHORITY OF THE CITY OF MILWAUKEE
_____	By: _____
Tom D. Barrett, Mayor	Robert P. Rondini, Chair

Date:_____

_____
City Clerk

Date:_____

Date:_____

By: _____
Rocky Marcoux, Exec. Dir.

Date:_____

COUNTERSIGNED:

_____
City Comptroller

Date:_____

Approved as to form, execution, and
content this ____ day of _____, 2009.

_____
Assistant City Attorney

EXHIBIT A

Term Sheet for Grant for

608 W. Mitchell St.

- **Project:** The "Project" consists of the façade replacement, installation of range hood, and upgrades to the HVAC system at 608 W. Mitchell St.
-
- **Owner:** The Owner of the Project is Demetra Coupoulous and Thomas Littman, personally.

- **Project Budget:** The estimated cost of the Project is $164,000 as set forth in the attached Budget Summary..

- **City Funding:** The City will provide up to $82,000 to the Redevelopment Authority of the City of Milwaukee ("RACM") from Tax Incremental District Bond Account No. TD07188001 for the purposes of providing a Grant for Project.

- **Additional Funding:** Owner shall borrow $82,000 from Mitchell Bank pursuant to its commitment letter of June 6, 2009.

- **Design Approvals:** The final design of the Project's façade, and any signage affixed thereto, shall be subject to approval of the Commissioner of City Development, the Milwaukee Historic Preservation Commission staff, and Business Improvement District No. 4. The City Wide Façade Design Guidelines shall govern the façade and sign design.

- **RACM Responsibilities.** Funds granted by the City to RACM shall be utilized for costs of the Project and shall be disbursed pursuant to a Disbursing Agreement between Mitchell Bank and RACM, following expenditure of Owner's contribution.

- **Recapture:** Funding for the Project shall be subject to recapture if at any time during the ten year period following completion of the Project, the Project is sold, or otherwise conveyed, and is operated as something other than a restaurant unless such operation is approved by BID No. 4. In such event, the amount of recapture will be prorated based on the remaining number of years of the ten-year recapture period.

- **Other Provisions.** This Term Sheet does not constitute a binding agreement. The terms set forth herein and other provisions customary for a transaction of this sort shall be incorporated into one or more agreements including the Development Agreement between the City, RACM, and Owner.

SUMMARY BUDGET

608 W. Mitchell St. Project

TAX INCREMENTAL DISTRICT NO. 71

Façade & HVAV (per quote from Builtworks)	$139,000
Range Hood (per quote from Walters Sheet Metal Corp.)	$24,000
Financing Fees	$1,000
Total	$164,000

LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS

ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
OCTOBER 6, 2009
Item 7, File #090235

File Number 090235 is a resolution approving a grant agreement between the City and the Redevelopment Authority through which the City will provide $82,000 in tax incremental financing funds for improvements to the property at 608 W. Mitchell Street in Tax Incremental District No. 71 (Mitchell Street).

Background

1. On January 15, 2008, the Common Council adopted File Number 071132, a resolution creating Tax Incremental District No. 71 (Mitchell Street), approving its project plan and authorizing expenditures for the district. TID No. 71 encompasses 281 properties located along Mitchell Street and in the area extending one block north and south of Mitchell Strett, between 5th and 16th Streets.

2. The proposed project plan calls for a variety of public improvements, programs and activities in the Mitchell Street TID with a total cost of $3,118,000. Included in the project plan is the establishment of a $1.5 million development fund to provide loans or grants as gap financing for catalytic private development projects in the district. This fund was established with the stipulation that any appropriations for development projects to be assisted with the fund shall be subject to separate Common Council approval.

3. Restoration and renovation of the vacant restaurant at 608 W. Mitchell Street has been identified as a catalytic project within TID No. 71.

Discussion

1. This resolution approves a grant agreement between the City and the Redevelopment Authority of the City of Milwaukee ("RACM") through which the City agrees to provide up to $82,000 to RACM for the purpose of providing a grant to the owner of the property at 608 W. Mitchell Street. Funding for the grant will come from tax incremental revenues generated by TID No. 71. The resolution also directs the proper City officers to execute the agreement and the City Comptroller to establish the appropriate funds and accounts necessary to accomplish this transaction.

2. The term sheet for the grant to the owners of 608 W. Mitchell Street, Demetra Coupoulos and Thomas Littman, indicates that the total estimated project cost is $164,000. The owners will borrow $82,000 from Mitchell Bank. The City will provide the other $82,000 through the TID funding granted to RACM by this resolution.

3. The project will consist of replacement of the entire façade of the building at 608 W. Mitchell Street, replacement of the restaurant's range hood and upgrading of the building's heating, ventilating and air conditioning system.

4. The term sheet further provides that the City's funding for the project shall be subject to pro-rated recapture if, at any time during the 10-year period following completion of the project, the project is sold and operated as something other than a restaurant.

Fiscal Impact

Adoption of this resolution will authorize the expenditure of $82,000 in City capital funding (borrowing) which will be recovered through tax incremental revenues from TID No. 71.

Prepared by: Jeff Osterman, x2262
LRB-Research & Analysis Section
October 2, 2009

cc: Rocky Marcoux
Martha Brown
Joe'Mar Hooper
Jim Scherer
Marianne Walsh

CC-170 (REV. 6/86)

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/28/09 **FILE NUMBER:** 090235

Original Fiscal Note [ ] Substitute [X]

SUBJECT: Substitute resolution approving a Grant Agreement and providing funding for improvements to 608 West Mitchell Street in Tax Incremental District No. 71, Mitchell Street, in the 12th Aldermanic District.

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

C) CHECK ONE:

- [x] 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)
- [x] CAPITAL PROJECTS FUND (CPF)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] OTHER (SPECIFY)
- [ ] CONTINGENT FUND (CF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] GRANT & AID ACCOUNTS (G & AA)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	TID Borrowing	TDO 7180000	$82,000		
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**.

[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 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

CC-170 (REV. 6/86)

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 09/25/09 **FILE NUMBER:** 090235

Original Fiscal Note [X] Substitute [ ]

SUBJECT: Substitute resolution approving a Grant Agreement and providing funding for improvements to 608 West Mitchell Street in Tax Incremental District No. 71, Mitchell Street, in the 12th Aldermanic District.

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

C) CHECK ONE:

- [X] 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)
- [X] CAPITAL PROJECTS FUND (CPF)
- [ ] PERM. IMPROVEMENT FUNDS (PIF)
- [ ] OTHER (SPECIFY)
- [ ] CONTINGENT FUND (CF)
- [ ] SPECIAL PURPOSE ACCOUNTS (SPA)
- [ ] GRANT & AID ACCOUNTS (G & AA)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	TID Borrowing	TDO7180000	$73,800		
TOTALS			$73,800		

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**.

[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 3-5 YEARS	
[ ] 1-3 YEARS	[ ] 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 : 090235

NAME	ADDRESS	DATE NOTICE SENT		
Jim Scherer	DCD	10/1/09		
Richard Li	Comptroller's Office	x		
Craig Kammholz	Comptroller's Office	x		

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090419 **Version:** 1		
Type:	Ordinance	**Status:**	In Committee
File created:	7/28/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			

Title: Substitute ordinance relating to the Fourth Amendment to a Detailed Planned Development known as Lapham Park, to allow up to 244 dwelling units in the high-rise building, on land located north of West Vine Street and west of North 6th Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR

Indexes: PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 06

Attachments: Exhibit A as of 9-21-09, Exhibit A Continued as of 9-21-09, Proposed Zoning Change Map, Vicinity Map, City Plan Commission Letter, Notice Published 9-21-09 and 9-28-09, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/28/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/30/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/14/2009	0	CITY CLERK	DRAFT SUBMITTED		
9/21/2009	1	CITY CLERK	PUBLISHED		
9/30/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/1/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/1/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/1/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090419
Version
SUBSTITUTE 1
Reference
990083
Sponsor
THE CHAIR
Title
Substitute ordinance relating to the Fourth Amendment to a Detailed Planned Development known as Lapham Park, to allow up to 244 dwelling units in the high-rise building, on land located north of West Vine Street and west of North 6th Street, in the 6th Aldermanic District.
Analysis
This amendment will allow for up to 244 dwelling units in the high-rise building.
Body
The Mayor and Common Council of the City of Milwaukee ("Common Council"), do ordain as follows:

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

Section 295-907(2)(c).0146.

(1) In accordance with the provisions of Section 295-907 of the Code relating to the establishment of planned development districts, the Common Council approves the subject amended Detailed Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map reaffirms the zoning for the area bounded and described as follows:

Commencing at the point of intersection of the centerline of North 6th Street and the centerline of West Brown Street; thence South along the centerline of North 6th Street to the centerline of West Vine Street; thence West along the centerline of North 7th Street to the centerline of West Reservoir Avenue; thence Northwesterly along the centerline of West Reservoir Avenue to the centerline of North 8th Street; thence North along the centerline of North 8th Street to the centerline of West Brown Street; thence East along the centerline of West Brown Street to the centerline of North 6th Street and the point of commencement.

(3) The requirements set forth in said amended detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such amended detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended detailed plan to all conditions and limitations set forth in such amended detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent

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provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

Drafter
DCD:AJF:ajf
09/14/09

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FN 090419 EXHIBIT A

MDS

Housing Authority of the City of Milwaukee
Modernization and Development Services
5125 West Lisbon Avenue
Milwaukee, WI 53210
(414) 286-8230 voice
(414) 286-8742 facsimile

March 2, 2009

Housing Authority of the City of Milwaukee
Lapham Park
1901 N. 6th St.

DETAILED PLAN PROJECT DESCRIPTION AND OWNERS STATEMENT OF INTENT:

Lapham Park Housing Development was built as a superblock in 1964 for both elderly and family housing. Residential buildings consisted of an eight-story highrise with 200 apartments for elderly housing and 23 two and three-story walk-up apartment buildings with 3, 4, and 5-bedroom units for a total of 170 units of family housing. In 2000, the 170-unit family apartment buildings were demolished and replaced with 2, 3, 4, and 5-unit townhouses for a total of 122 units, reducing the density of the property. The neighborhood superblock configuration was replaced with a traditional street grid with alleys.(Exhibits B & C)

Non-residential buildings consist of a community center and offices connected to the highrise, a parking structure that provides parking for the offices and highrise, a generator building, and a trash container lift station.

The goals of the proposed new work are:
To create 44 one-bedroom and 3 two-bedroom new fully-accessible apartment units.
To provide more attractive and marketable housing.
To improve safety at the front entry of the building.
To update and improve the appearance of the building while increasing energy efficiency.

The proposed work at Lapham will only slightly increase the existing footprint of the highrise by 1036 square feet to construct a new fire exit stairway while providing an additional 47 units of housing. The units will be gained by removing an existing one-story wing from the west wing and enlarging the footprint for the necessary foundation for the proposed structure.(Exhibit D)

Exhibit F provides topographical and site runoff information. Note that the proposed plan shows a decrease in impervious surfaces by the implementation of green roofs on the west wing and front entry additions.

The former tot-lot/pocket park to the east and south of the west wing (Exhibit H) will be reborn after construction as a community park and gardens. Space will be reserved here for a potential rainwater catchment system for site irrigation. A reconfiguration of stairs and flagpole locations east of the entry

canopy will allow better green screening along the entry drive. A new building sign (Exhibit K) will be added in this landscaped area.

The new entry canopy (Exhibits J.3 and J.5) will enhance the lines of existing first floor office spaces, while providing an entry protected from the elements for residents as they load and unload from transportation sources. Window colors will tie into the window colors of the attached services building to the Southeast. Along the top floor of the west wing, an accessible green roof terrace will provide a place of tranquility and stormwater retention. The elevations (Exhibit J.1-J.5) express the design intent to have the new additions match the existing building materials and massing (Existing Photos Exhibit L).

If you have any questions, please contact me anytime.

Sincerely,

Warren B. Jones
Managing Director of Development
Housing Authority of the City of Milwaukee

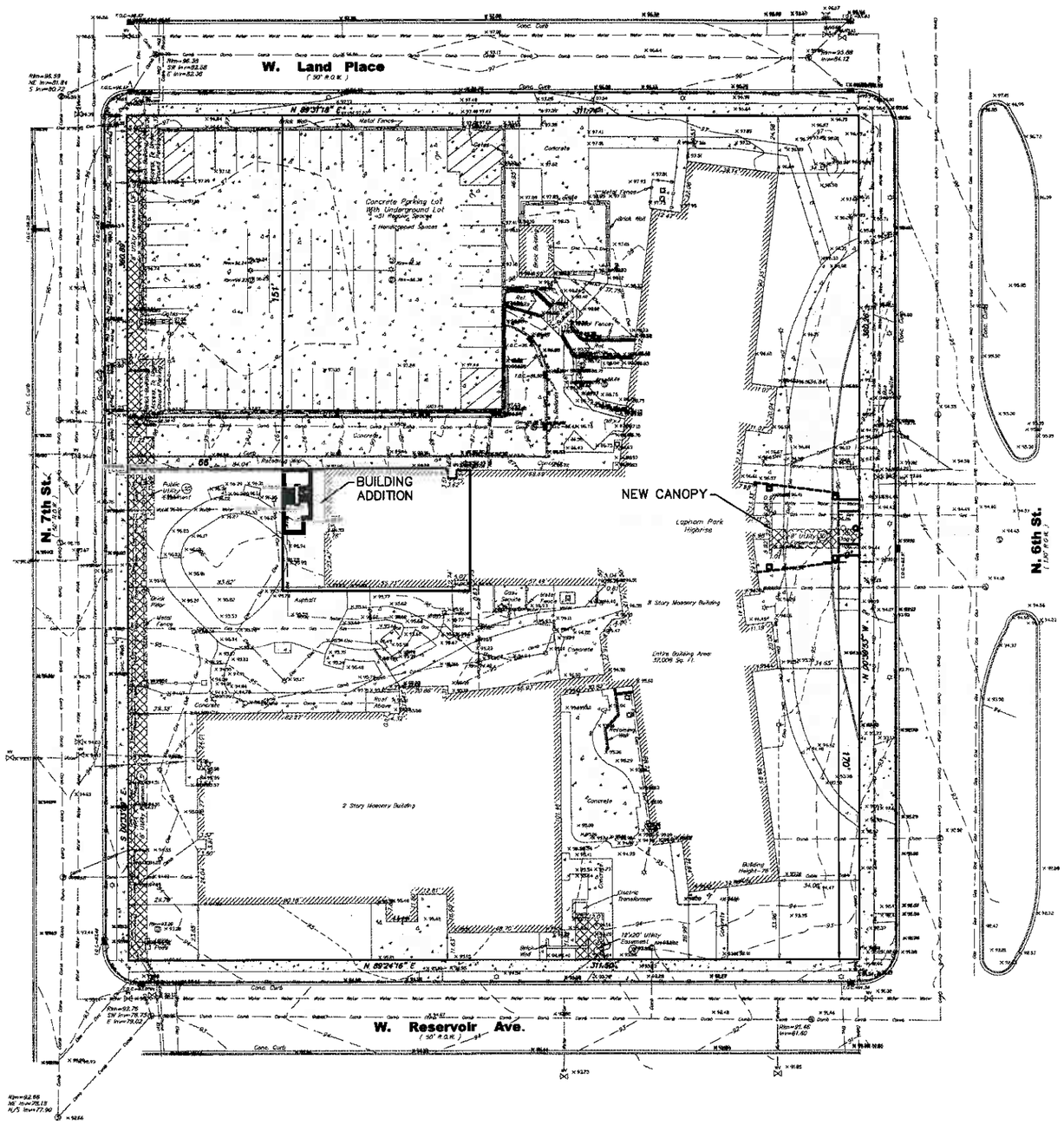
Lapham Park Statistics	Existing	Proposed
1. Gross Land Area		
Highrise & Community	2.43	2.43 acres
Family	9.41	9.41 acres
		11.84 acres total
2. Building Coverage		
Highrise & Community	1.03	1.05 acres
Family	1.64	1.64 acres
		2.69 acres total
3. Parking & Drives		
Highrise & Community		
Parking	0.38	0.38 acres
Drives	0.18	0.18 acres
Family		
Parking	0.67	0.67 acres
Drives	2.15	2.15 acres
		3.38 acres total
4. Open Space		
Highrise & Community	0.84	0.82 acres
Family	4.95	4.95 acres
		5.77 acres total
5a. Residential building - density		
Highrise	82.3	100.4 units/acre
Family	12.96	12.96 units/acre
		30.91 units/acre total
5b. Non-residentail buildings - density		
Highrise & Community	44,800 sf	44,800 sf
		44,800 sf total
6a. Number of residential buildings		
Highrise & Community	1	1
Family	35 townhouses	35 townhouses
6b. Number of non-residentail buildings		
Highrise & Community	3	3
Family	0	0
7. Dwelling units per building		
Highrise	200	244
Family		
2 unit buildings	9	9
4 unit buildings	26	26
8. Bedrooms per unit		
Highrise		
1 bedroom	170	213
2 bedroom	28	31
Family		
2 bedroom	16	16
3 bedroom	90	90
4 bedroom	10	10
5 bedroom	6	6
9. Off-street parking spaces		
Highrise & Community	47	47
Family	122	122

FN 090419 EXHIBIT A

LEGAL DESCRIPTION

Lot One (1), Block Five (5), Resubdivision of Lapham Park, being a division of Lapham Park; part of Lots 7 and 8 in Block 187 of Houghton's Addition (South Part); part of Lot 11 in Block 204 of Houghton's Addition (North Part) and part of Lots 17 and 18 in Block 204 of Parker's Addition in the Southeast One-quarter (1/4) of the Northeast One-quarter (1/4) of Section Twenty (20), Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, Milwaukee County, Wisconsin.

Tax Key No. 352-2799-6
Address: 800 West Reservoir Avenue, Milwaukee, Wisconsin



SCALE IN FEET
20' 0 20'

NO	REVISION DESCRIPTION	DATE

One Source Consulting
Construction Witness/Press Surveying/Civil Engineers
11805 W HAMPTON AVE
MILWAUKEE, WI 53225
(262) 764-9008
(262) 764-9009 (FAX)
www.onesourcewisconsin.com

PROJECT
LAPHAM PARK
1001 NORTH SIXTH STREET
MILWAUKEE, WI

CLIENT
QUORUM ARCHITECTS
3112 W HIGHLAND BLVD
MILWAUKEE, WI 53208

SHEET TITLE
PLAT OF SURVEY

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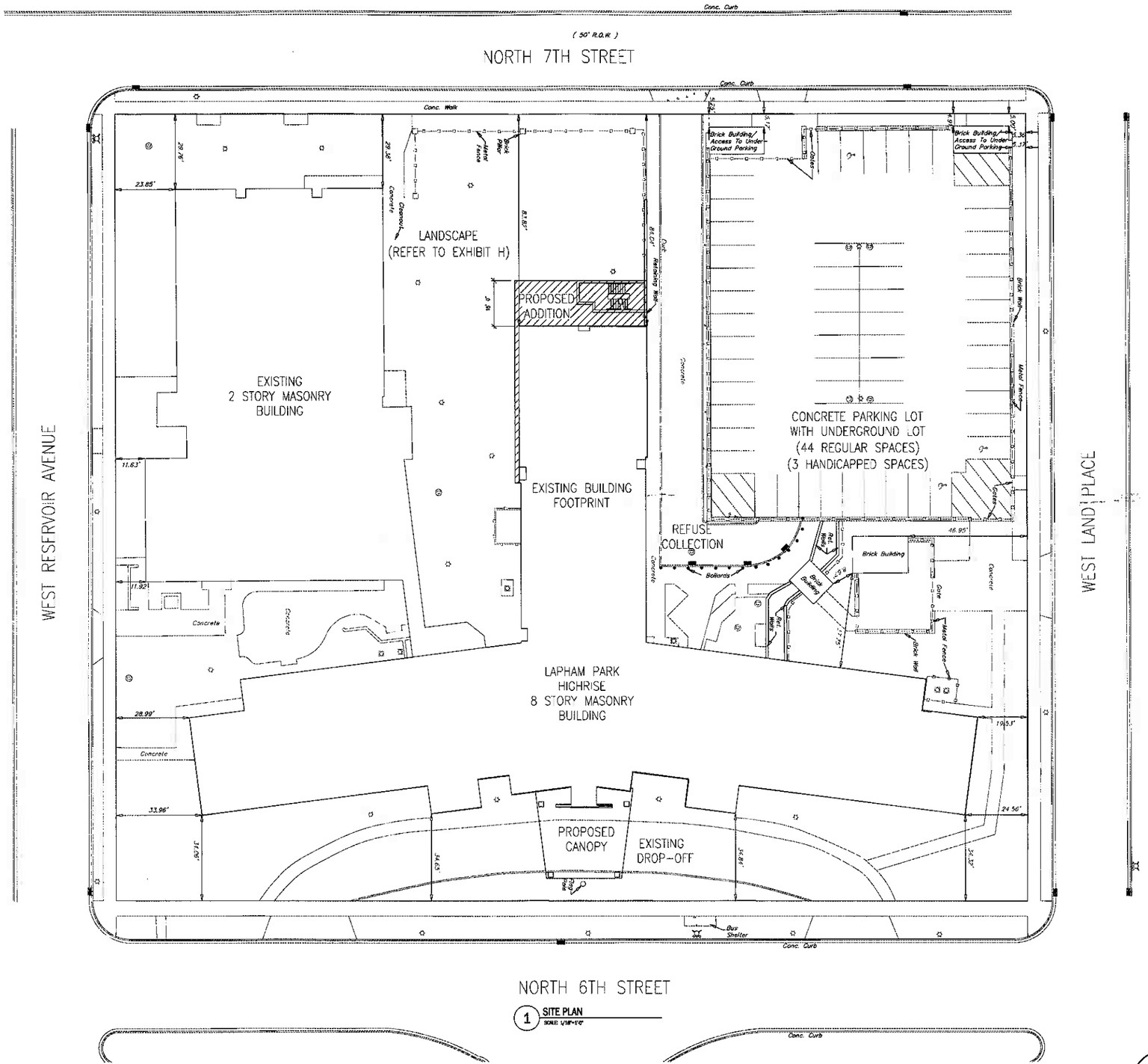
Drawing Scale:	1"=20'
Drawn:	JRS 08/26/09
Checked:	JRS 08/26/09
SOC Project No:	196-09
Sheet No.	EX-C

Aug 31, 2009 - 7:08am
S:\CAD Projects\196-09 HACM Lapham Park\196-09 Permit Survey.dwg



1 SITE PLAN
SCALE: 1/16"=1'-0"

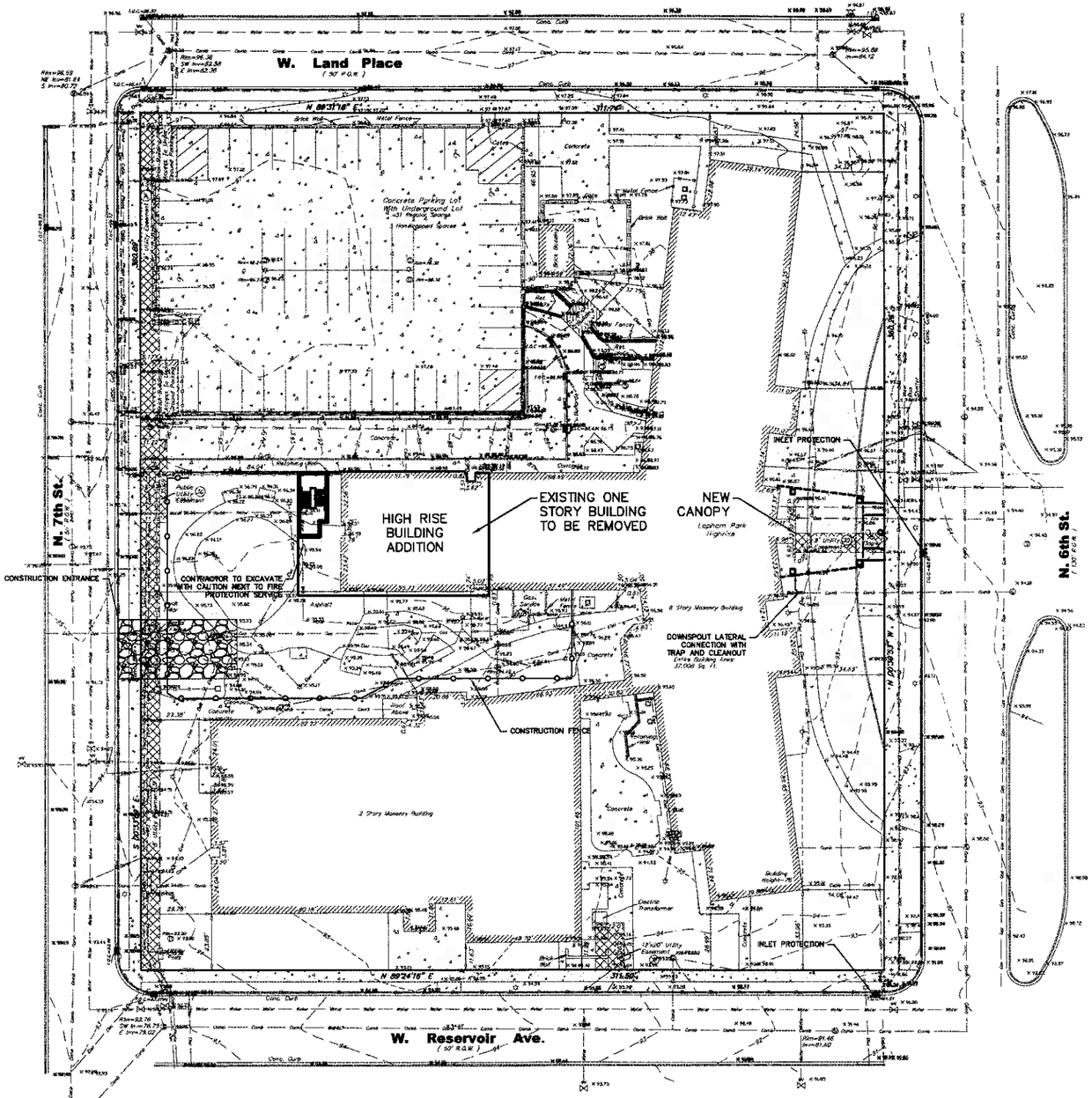
LAPHAM PARK

08/31/09

PRELIMINARY
NOT FOR
CONSTRUCTION
QUORUM ARCHITECTS, INC.

Quorum Architects, Inc.
3112 West Highland Boulevard
Milwaukee, Wisconsin 53208
Phone: 414.265.0295
Fax: 414.265.9446
www.quorumarchitects.com

Exhibit D



MAINTENANCE PLAN

1. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE INSPECTED FOR FUNCTIONAL EFFECTIVENESS FOLLOWING EVERY 1/2-INCH RAIN EVENT AND IN NO CASE LESS THAN ONCE PER WEEK. ANY NEEDED REPAIRS WILL BE MADE IMMEDIATELY TO ENSURE THE DEVICE FUNCTIONS AS DESIGNED.
2. ALL SEEDED AREAS WILL BE WATERED, FERTILIZED, MULCHED AND RESEEDED AS NECESSARY TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER.
3. ANY SEDIMENT REACHING A PUBLIC OR PRIVATE STREET SHALL BE REMOVED BY STREET CLEANING BEFORE THE END OF EACH DAY OR AS NECESSARY TO PREVENT DEBRIS FROM ENTERING A STORM SEWER, DITCH, OR WATERWAY.
4. AREAS INACTIVE DURING THE NON-GROWING SEASON MUST BE STABILIZED WITH ANIONIC POLYACRYLAMIDE (GRANULAR) WITH TEMPORARY SEED. SEE WDNR TECHNICAL STANDARD 1050. IN MAY BE NECESSARY MAKE SUPPLEMENTAL APPLICATIONS FOLLOWING CONDITIONS THAT RESULT IN RUNOFF DUE TO WARM MID WINTER TEMPERATURES.
5. IN THE EVENT CONSTRUCTION ACTIVITIES RESULT IN SEVERE DUST CONDITIONS, SEE WDNR TECHNICAL STANDARD 1068.
6. IN THE EVENT OF DEWATERING ACTIVITIES, FOLLOW WDNR TECHNICAL STANDARD 1061. ALL WATER DISCHARGED FROM THE DEWATERING EQUIPMENT MUST BE FILTERED BY A TYPE II GEOTEXILE BAG SIZED FOR THE PUMP DISCHARGE FLOW RATE.

CONSTRUCTION SCHEDULE

1. OBTAIN PLAN APPROVAL AND APPLICABLE PERMITS.
2. INSTALL OFF-SITE INLET PROTECTION DEVICES
3. INSTALL PERIMETER EROSION CONTROL WHERE REQUIRED BY SLOPES
4. INSTALL CONSTRUCTION EXIT
5. AFTER SITE IS STABILIZED, REMOVE ALL TEMPORARY MEASURES AND VEGETATE THE DISTURBED AREAS.
6. ESTIMATED TIME TO FINAL STABILIZATION – xx MONTHS FROM THE START OF CONSTRUCTION ACTIVITIES

NOTES:

1. SEE ARCHITECTURE SITE PLAN FOR SIDEWALK LOCATIONS AND BUILDING DIMENSIONS.
2. EXISTING CONDITIONS DATA PROVIDE BY METROPOLITAN SURVEY SERVICE, INC.

CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE
MILW. AREA 259-1181

SCALE IN FEET
20' 0 20'

"THE INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATIONS AS TO THE TYPE AND LOCATION OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. IF ADDITIONAL UTILITIES ARE KNOWN TO EXIST IN THE PROPERTY, THE OWNER WILL PROVIDE EXISTING PLANS OF OTHER UTILITIES SERVING THE SITE AND THE BUILDING THAT OTHERWISE CANNOT BE LOCATED BY A VISUAL OBSERVATION OF THE PROPERTY OR OF WHICH THE SURVEYOR WOULD HAVE NO KNOWLEDGE".

NO	REVISION DESCRIPTION	DATE

One Source Consulting
Contractor/Owner/Utilities Services/Civil Engineers
11805 W HAMPTON AVE
MILWAUKEE, WI 53225
(262) 784-9005
(262) 784-9008 (FAX)
www.onesourceconsult.com

PROJECT
LAPHAM PARK
1001 NORTH SIXTH STREET
MILWAUKEE, WI

CLIENT
QUORUM ARCHITECTS
311 W. MORELAND BLVD
MILWAUKEE, WI 53212

WISCONSIN
CRAIG T. DENZE
E-35380
WAUKESHA, WI
PROFESSIONAL ENGINEER

SHEET TITLE
GRADING, UTILITY AND EROSION CONTROL PLAN

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Drawing Scale:	1"=20'
Drawn:	JRS 08/26/09
Checked:	JRS 08/26/09
OSC Project No:	196-09
Sheet No:	EX-F,G

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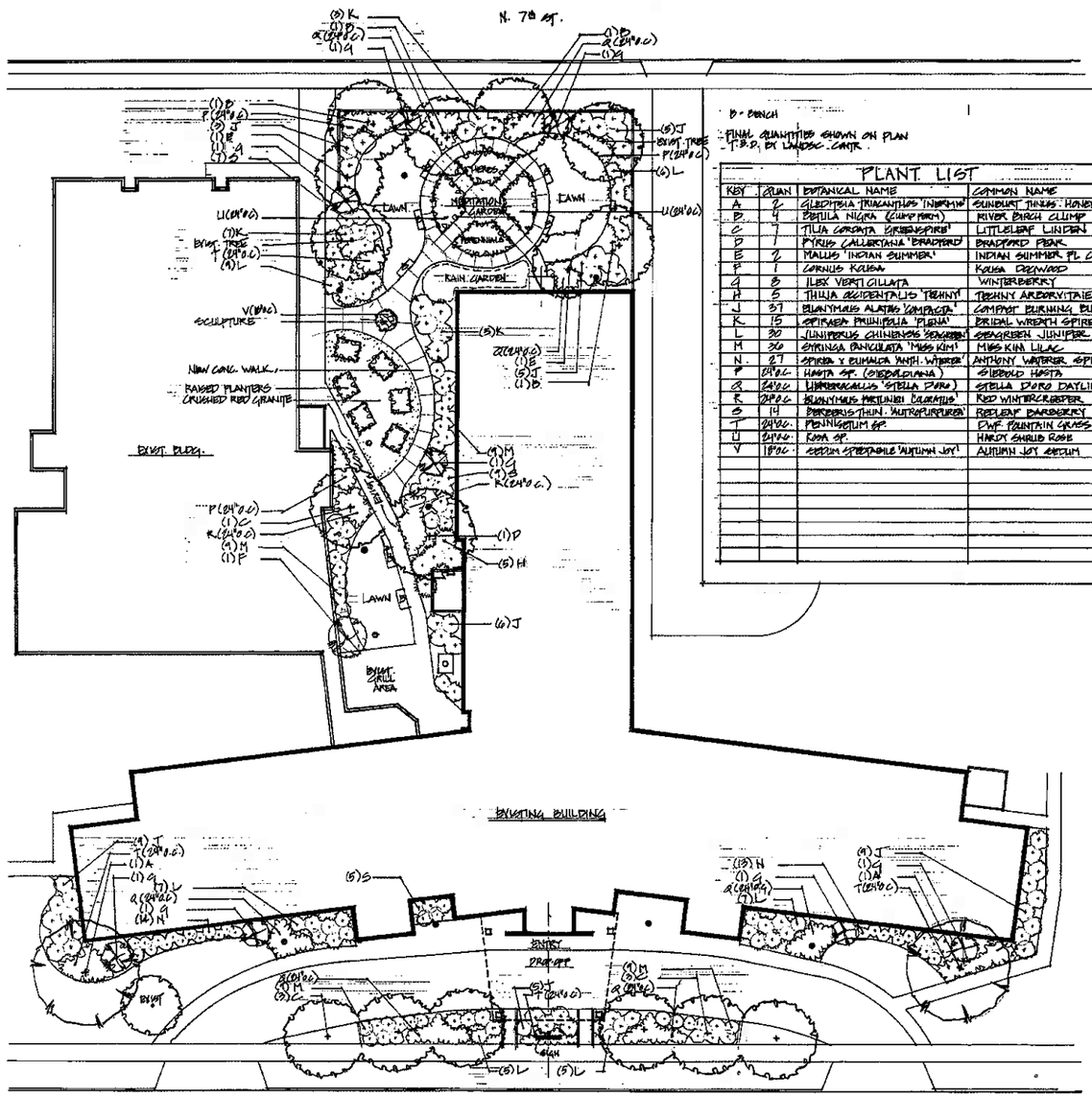


PLANT LIST

KEY	QUAN	BOTANICAL NAME	COMMON NAME	SIZE	ROOT
A	2	GLEDITSIA TRIACANTHOS 'INERMIS'	SUNBURST THORNLESS HONEYLOCUST	3" CAL	B/B
B	4	BETULA NIGRA (CLUMP FORM)	RIVER BIRCH CLUMP	(4-12)	B/B
C	7	TILIA CORDATA 'GREENSPIRE'	LITTLELEAF LINDEN	2.5" CAL	B/B
D	1	PYRUS CALLERYANA 'BRADFORD'	BRADFORD PEAR	2.5" CAL	B/B
E	2	MALUS 'INDIAN SUMMER'	INDIAN SUMMER FL. CRAB	1.5" CAL	B/B
F	1	CORNUS KOUSA	KOUSA DOGWOOD	5'	B/B
G	8	ILEX VERTICILLATA	WINTERBERRY	30"	B/B
H	5	THUJA OCCIDENTALIS 'TECHNY'	TECHNY ARBORVITAE	6'	B/B
J	37	EUONYMUS ALATUS 'COMPACTA'	COMPACT BURNING BUSH	30"	C.G.
K	15	SPIRAEA PRUNIFOLIA 'PLENA'	BRIDAL WREATH SPIREA	24"	C.G.
L	30	JUNIPERUS CHINENSIS 'SEARGENII'	SEARGREEN JUNIPER	18"-24"	C.G.
M	30	SYRINGA PANICULATA 'MISS KIM'	MISS KIM LILAC	18"-24"	C.G.
N	17	SPIREA X BUMALDA 'ANTH. WATERER'	ANTHONY WATERER SPIREA	18"	C.G.
P	24"O.C.	HOSTA SP. (SIEBOLDIANA)	SIEBOLD HOSTA	1 GAL	POTS
Q	24"O.C.	LIMEROCALLIS 'STELLA DORO'	STELLA DORO DAYLILY	1 GAL	POTS
R	24"O.C.	EUONYMUS FRIGIDUS 'COLORATUS'	RED WINTERCREEPER	1 GAL	POTS
S	14	BERBERIS THUN. 'AUTROPURPUREA'	REDLEAF BARBERRY	18"	C.G.
T	24"O.C.	PENNISETUM SP.	DWF. FOUNTAIN GRASS	1 GAL	C.G.
U	24"O.C.	ROSA SP.	HARDY SHRUB ROSE	3 GAL	POTS
V	18"O.C.	SEDUM SPECTABILE 'AUTUMN JOY'	AUTUMN JOY SEDUM	1 GAL	POTS

1 Landscape plan
SCALE: 1/16" = 1'-0"

LAPHAM PARK

08/31/09

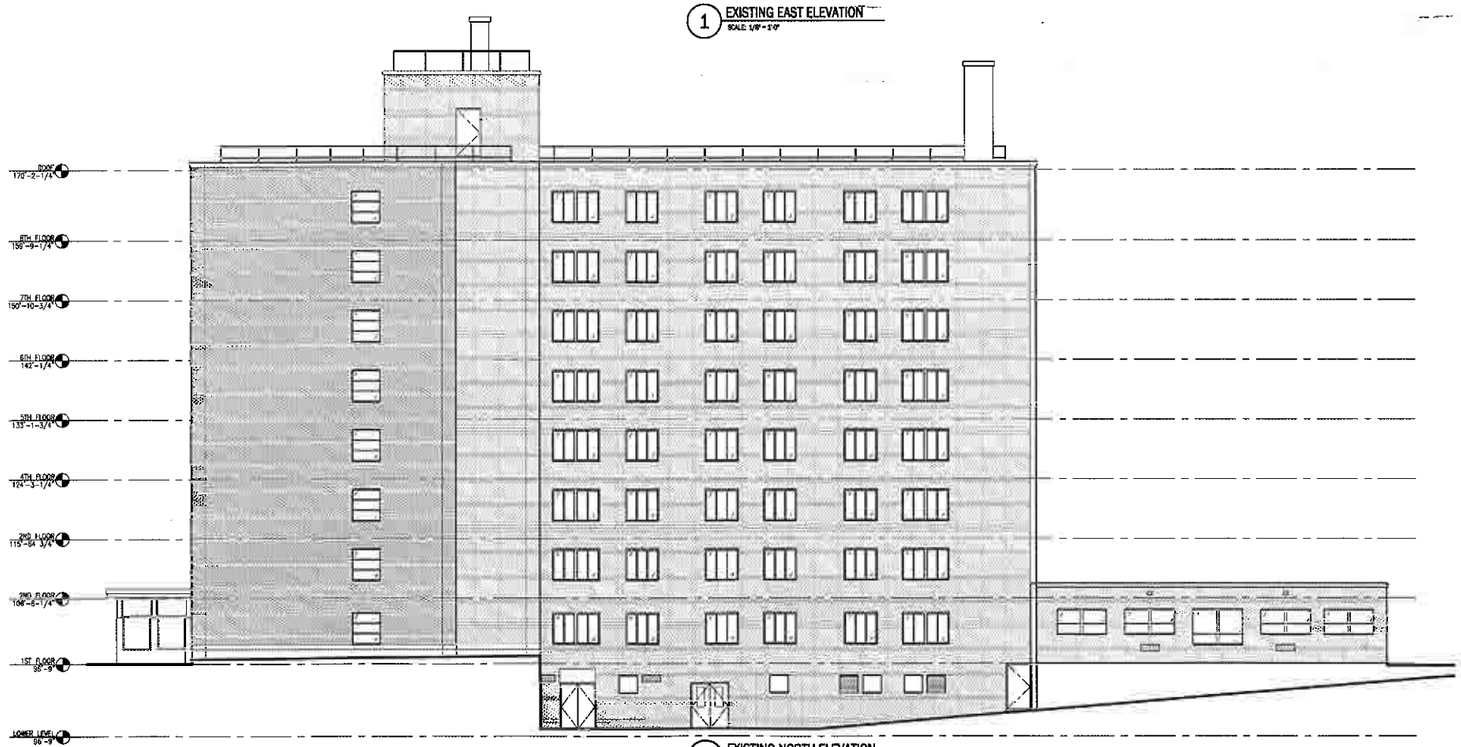
PRELIMINARY
NOT FOR
CONSTRUCTION
(QUORUM ARCHITECTS, INC.)

Quorum Architects, Inc.
3112 West Highland Boulevard
Milwaukee, Wisconsin 53208
Phone: 414.345.1999
Fax: 414.345.9465
www.quorumarchitects.com

Exhibit H

Aug 31, 2009 - 1:13pm
G:\08 Projects\08016-LPP\Dwg\LP01\08016-01-04-1.dwg

1 EXISTING EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"

LAPHAM PARK

08/31/09

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QUORUM ARCHITECTS, INC.

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Phone: 414.265.9465
Fax: 414.265.9465
www.quorumarchitects.com

Exhibit J.1

Sep 01, 2009 - 8:24am
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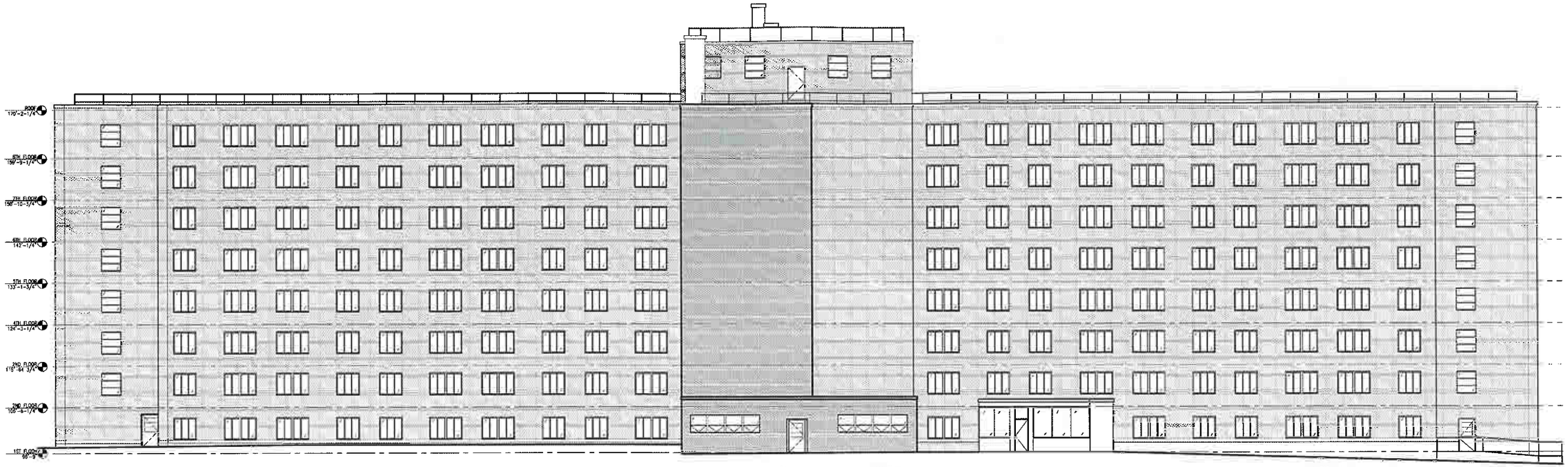

1 EXISTING WEST ELEVATION
SCALE: 1/8" = 1'-0"

2 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

LAPHAM PARK

08/31/09

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CONSTRUCTION
QUORUM ARCHITECTS, INC.

Quorum Architects, Inc.
3112 West Highland Boulevard
Milwaukee, Wisconsin 53208
Phone: 414.345.5265
Fax: 414.345.9465
www.quorumarchitects.com

Exhibit J.2

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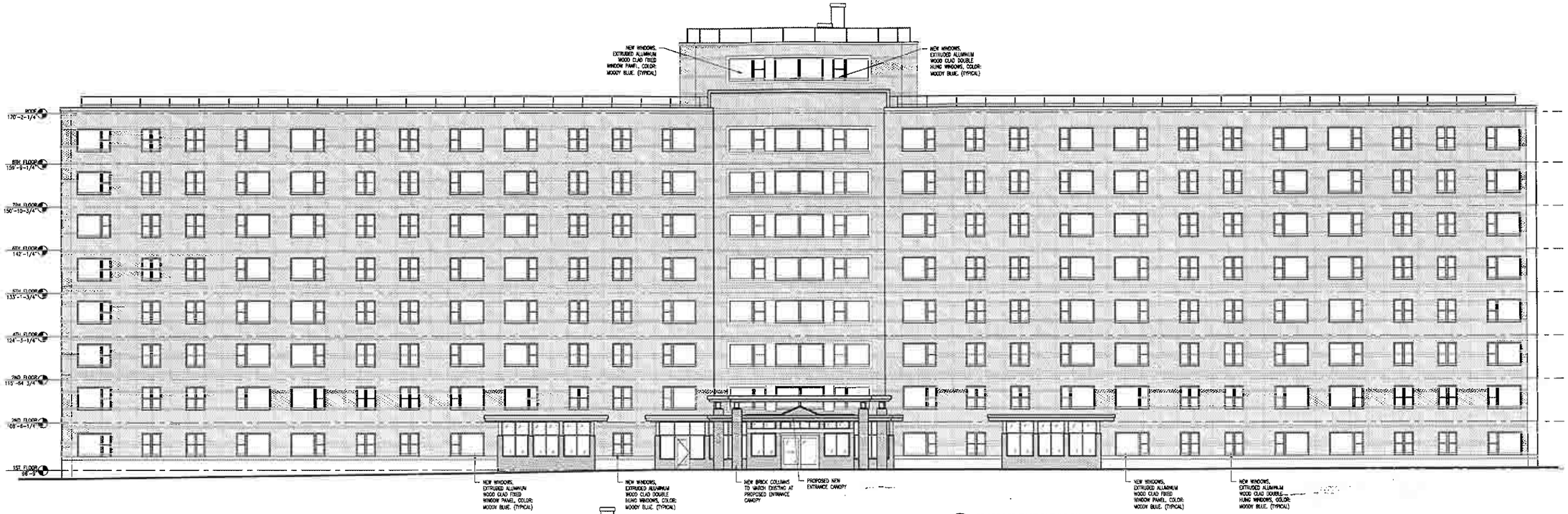
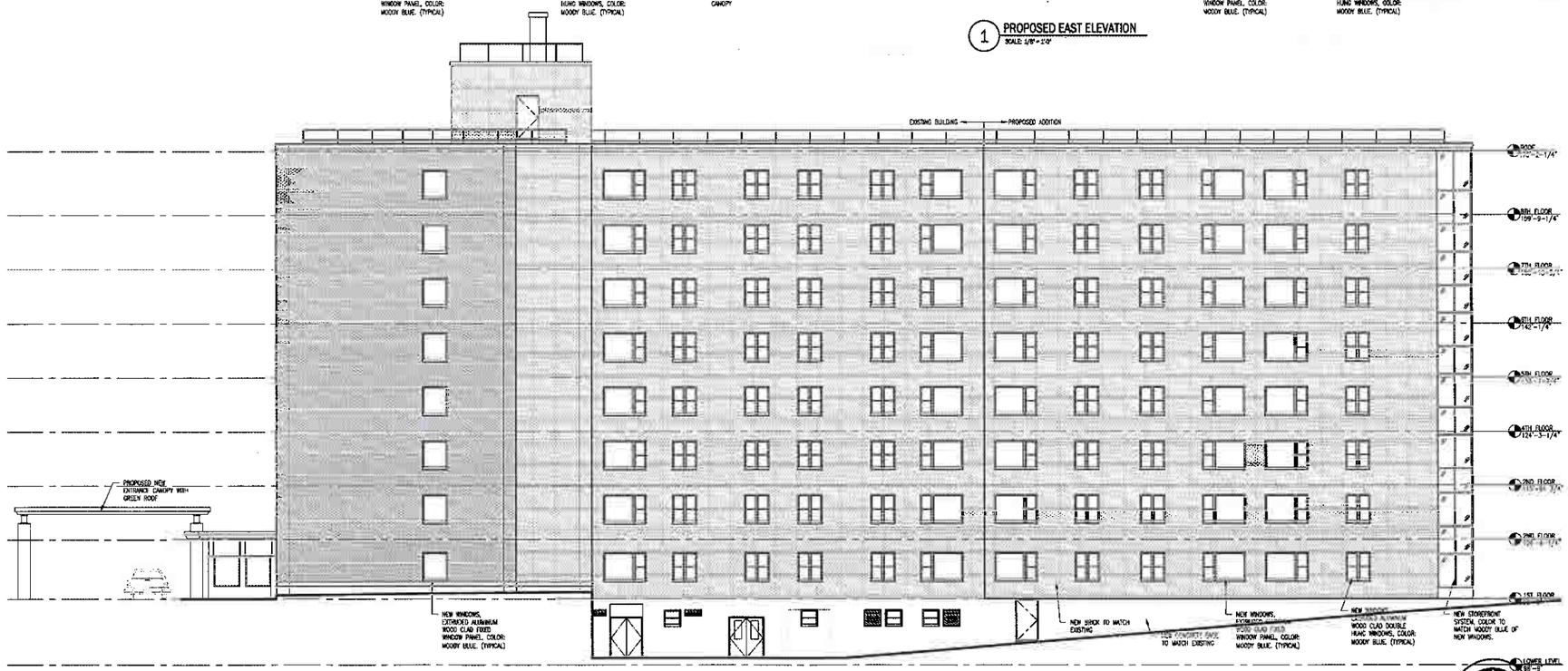


1 PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"



2 PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

LAPHAM PARK

08/31/09

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3112 West Highland Boulevard
Milwaukee, Wisconsin 53208
Phone: 414.966.9265
Fax: 414.966.9465
www.quorumarchitects.com

Exhibit J.3

Sep 01, 2009 - 10:02am
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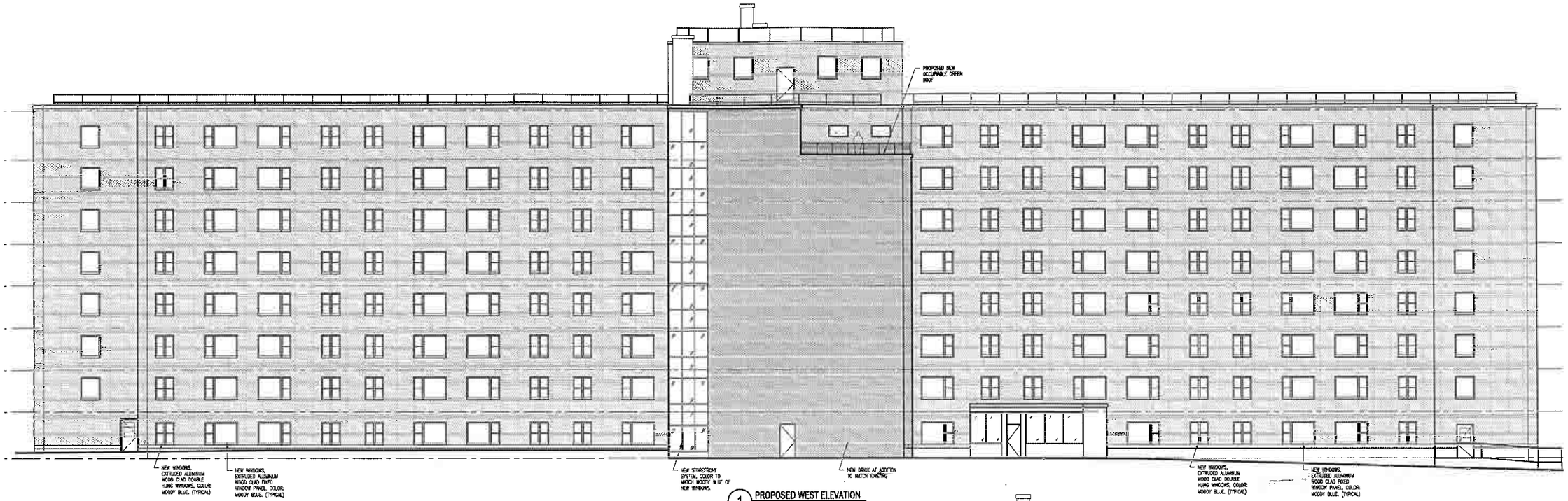
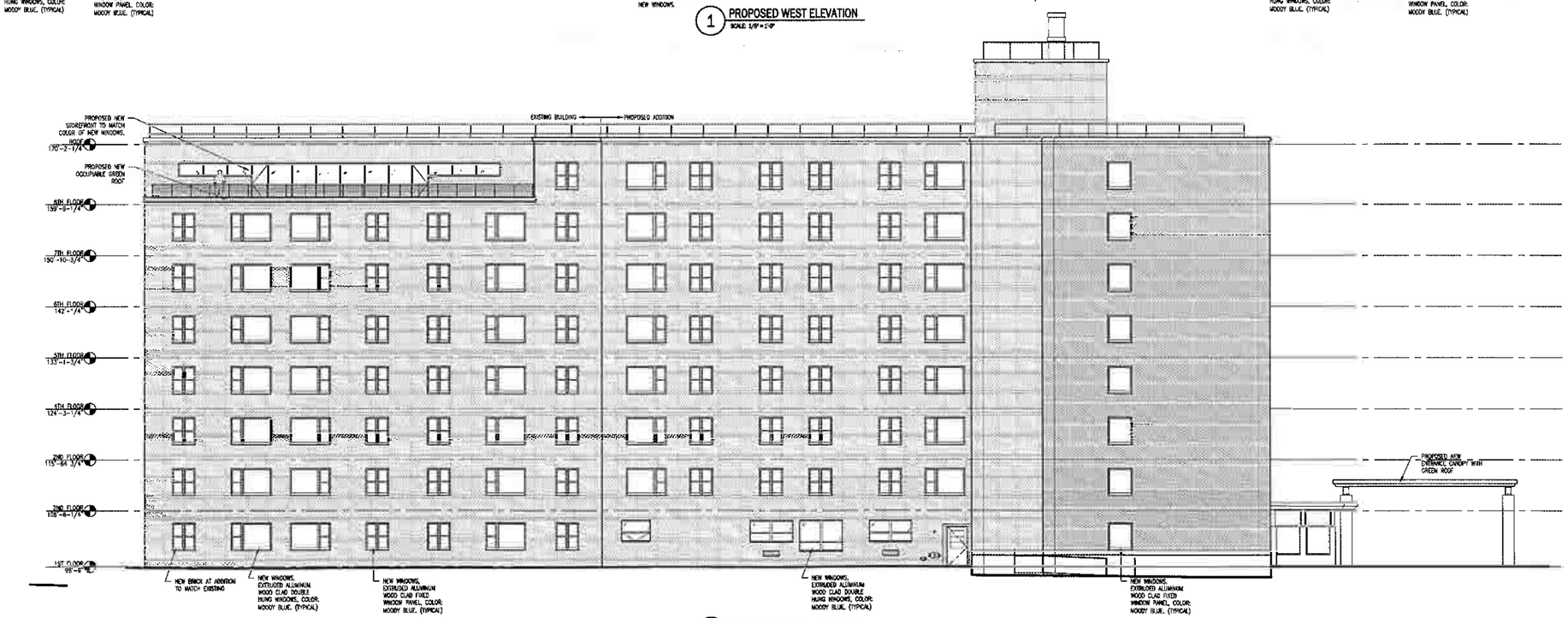


1 PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

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CONSTRUCTION
QUORUM ARCHITECTS, INC.

Quorum Architects, Inc.
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Milwaukee, Wisconsin 53208
Phone: 414.265.9265
Fax: 414.265.9466
www.quorumarchitects.com

Exhibit J.4

Sep 01, 2009 - 8:27am
Q:\09 Projects\09016-001\Dwgs\DRG\09016-02 A2-1-NEW SPD.dwg

1 PROPOSED CANOPY
SCALE: NOT TO SCALE

2 PROPOSED NEW WINDOW COLOR (MOODY BLUE)
SCALE: NOT TO SCALE

LAPHAM PARK

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QUORUM ARCHITECTS, INC.

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Milwaukee, Wisconsin 53208
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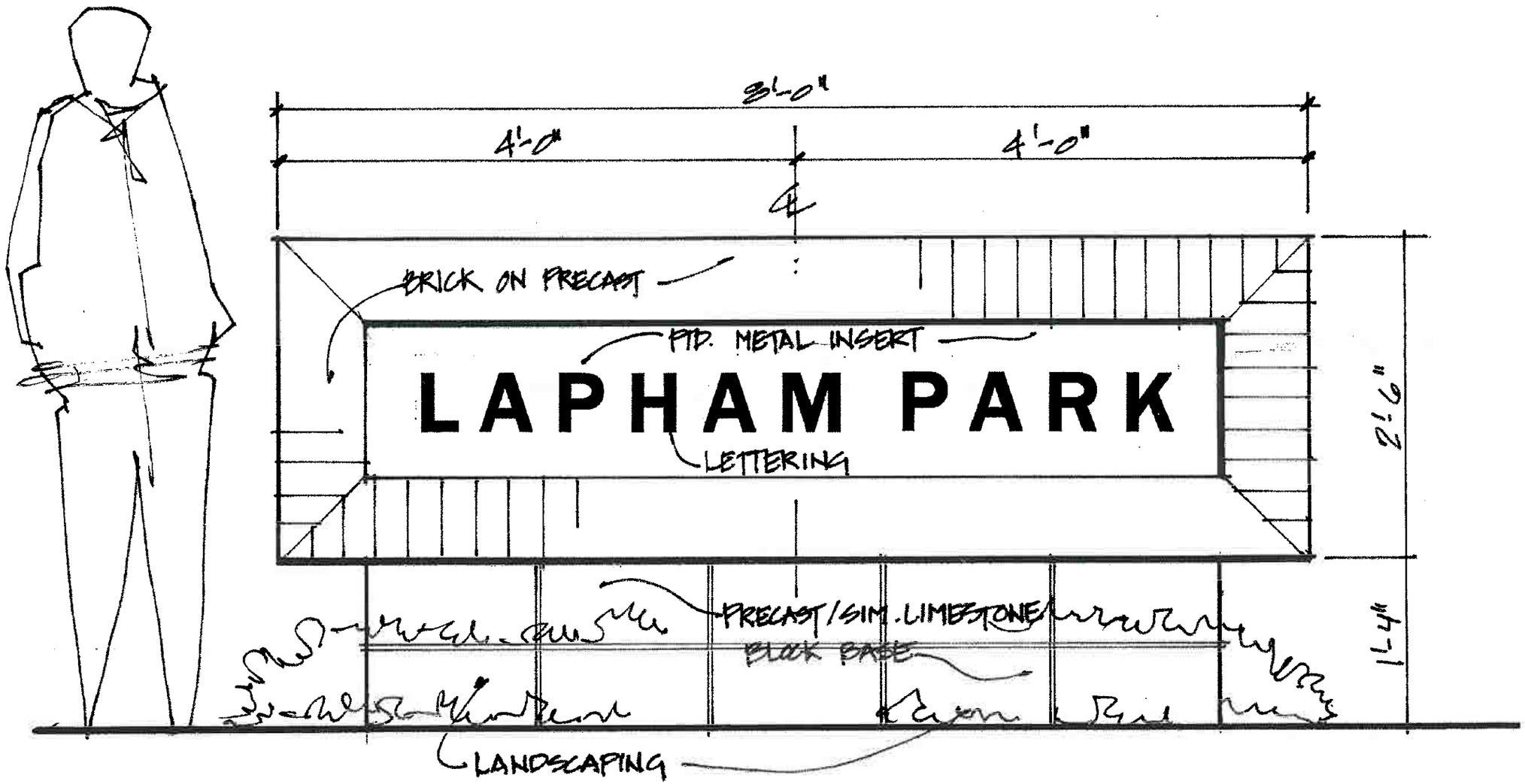
Exhibit J.5



1 PROPOSED SIGNAGE ELEVATION
SCALE: NOT TO SCALE

LAPHAM PARK

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CONSTRUCTION
QUORUM ARCHITECTS, INC.

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Milwaukee, Wisconsin 53208
Phone: 414.265.9265
Fax: 414.265.9465
www.quorumarchitects.com

Exhibit K

1 EXISTING EAST ELEVATION
SCALE: NOT TO SCALE

3 EXISTING EAST ENTRY PHOTO
SCALE: NOT TO SCALE

5 SITE VIEW FROM WEST ELEVATION
SCALE: NOT TO SCALE

2 EXISTING WEST ELEVATION
SCALE: NOT TO SCALE

4 EXISTING WEST ELEVATION
SCALE: NOT TO SCALE

5 SITE VIEW AT SOUTHWEST CORNER
SCALE: NOT TO SCALE

LAPHAM PARK

PRELIMINARY
NOT FOR
CONSTRUCTION
QUORUM ARCHITECTS, INC.

Quorum Architects, Inc.
3112 West Highland Boulevard
Milwaukee, Wisconsin 53208
Phone: 414.265.9265
Fax: 414.265.9465
www.quorumarchitects.com

Exhibit L

FN 090419
4th Amendment to DPD - Lapham Park
September 2009

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)

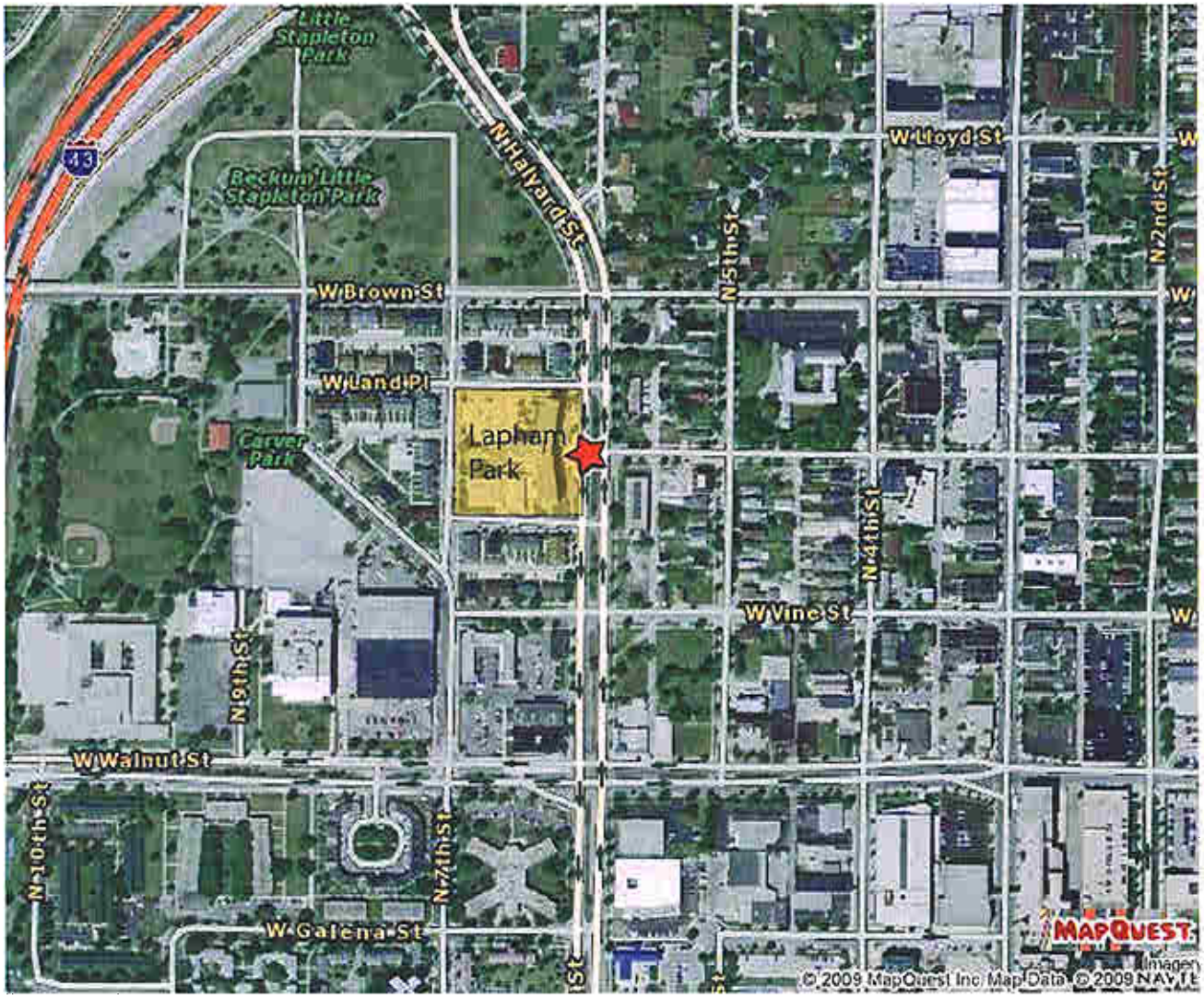
Special Districts

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

N

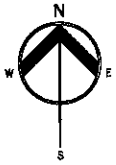
0 125 250 500 Feet

Data source: Department of City Development 2009



1 VICINITY MAP

SCALE: NOT TO SCALE



LAPHAM PARK

08/31/09

Housing Authority City of Milwaukee Welcome Home

Quorum Architects, Inc.
3112 West Highland Boulevard
Milwaukee, Wisconsin 53208
Phone: 414.265.9265
Fax: 414.265.9455
www.quorumarchitects.com

Exhibit B

Aug 28, 2009 – 2:53pm
Q:\09 Projects\09016-02\Design\DPD\09016-01-Exhibit B.dwg

September 22, 2009

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

Dear Committee Members:

File No. 090419 relates to the Fourth Amendment to a Detailed Planned Development (DPD) known as Lapham Park, on lands located north of West Vine Street and west of North 6th Street, in the 6th Aldermanic District.

This amendment will allow for up to 244 dwelling units in the high rise building. Currently, Lapham Park consists of the 200-unit, 8-story building for elderly housing, and 122 townhouse residential units. This amendment was applied for by the Housing Authority of the City of Milwaukee, and will allow for the construction of 47 additional residential units at the rear of the existing 8-story building, and the conversion of three residential units in the existing building to laundry facilities, for a total of 244 apartment units. Other updates will be made to the building to increase its energy efficiency, safety, and aesthetics.

The 8-story addition will be located where there currently is a one-story structure behind the west wing of the building. The former tot-lot/pocket park to the south and east of the west wing will be reconstructed as a community park and gardens. There will also be space reserved for a potential rainwater catchment system for site irrigation.

The stairs and flagpole locations east of the entry canopy along North 6th Street will allow for better green screening along the new entry drive. A new building sign will be added to the landscaped area. Additionally, a new entry canopy will be added along North 6th Street, and new windows will be installed in the buildings. An accessible green roof terrace will be added along the top floor of the west wing.

On September 21, 2009, a public hearing was held and at that time nobody spoke in opposition. Since the proposed change is generally consistent with the previously approved DPD, the City Plan Commission at its regular meeting on September 21, 2009 recommended approval of the subject file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

cc: Ald. Milele Coggs

10745681

PROOF OF PUBLICATION

STATE OF WISCONSIN
MILWAUKEE COUNTY } SS

ANN E. RICHMOND, being the first duly sworn on oath, says that she is the publisher as of January 1, 2004, of THE DAILY REPORTER - that the notice of which the printed one attached is a true copy, which copy was clipped from said newspaper, was inserted and published in said newspaper on

09/21/2009 09/28/2009

Ann E. Richmond

Subscribed and sworn to before me

September 28, 2009

Notary Public, Milwaukee County, Wisconsin
My Commission Is Permanent

DAVID KNUTE ZIEMER NOTARY PUBLIC STATE OF WISCONSIN

C. NO. 25
FILE NUMBER 090419

OFFICIAL NOTICE
Published by Authority of the Common Council of the City of Milwaukee
Office of the City Clerk

Notice is hereby given that an ordinance that was introduced at the July 28, 2009 meeting of the Milwaukee Common Council, the essence of which is as follows:

Substitute ordinance relating to the Fourth Amendment to a Detailed Planned Development known as Lapham Park, to allow up to 244 dwelling units in the high-rise building, on land located north of West Vine Street and west of North 6th Street, in the 6th Aldermanic District.

The Mayor and Common Council of the City of Milwaukee ("Common Council"), do ordain as follows:

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

Section 295-907(2)(c).0146.

(1) In accordance with the provisions of Section 295-907 of the Code relating to the establishment of planned development districts, the Common Council approves the subject amended Detailed Planned Development, a copy of which is attached to this Comman Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map reaffirms the zoning for the area bounded and described as follows:

Commencing at the point of intersection of the centerline of North 6th Street and the centerline of West Brown Street; thence South along the centerline of North 6th Street to the centerline of West Vine Street; thence West along the centerline of North 7th Street to the centerline of West Reservoir Avenue; thence Northwesterly along the centerline of West Reservoir Avenue to the centerline of North 8th Street; thence North along the centerline of North 8th Street to the centerline of West Brown Street; thence East along the centerline of West Brown Street to the centerline of North 6th Street and the point of commencement.

(3) The requirements set forth in said amended detailed plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such amended detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended detailed plan to all conditions and limitations set forth in such amended detailed plan.

Part 2. Any persons, firm, company or corporation owning, controlling or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

Notice is hereby further given that the foregoing matter will be given a public hearing by the Committee on Zoning, Neighborhoods and Development in Room 301-B, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, on Tuesday, October 6, 2009 at 9:00 A.M., pursuant to the provision of Sub-Section (7)(d) of Section 62.23 of the Revised Statutes of the State of Wisconsin.

PLEASE NOTE: a) Members of the Common Council, and members of its Standing Committees who are not members of this Committee, may attend this meeting to participate or to gather information. Therefore, notice is given that this meeting may constitute a meeting of the Common Council or any of its Standing Committees, and must be noticed as such, although they will not take any formal action at this meeting.

b) If you have difficulty with the English language, you may bring an interpreter with you, at your own expense, so that you can answer questions and participate in the hearing.

c) Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other 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 ADA Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

d) 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.

e) This meeting will be web-cast live at www.milwaukee.gov/channel25.

RONALD D. LEONHARDT,
City Clerk.

10745681/9-21-28

NOTICES SENT TO FOR FILE : 090419

NAME	ADDRESS	DATE NOTICE SENT		
Vanessa Koster	DCD	10/1/09		
Ald. Coggs	CC-CC	x		
Tony Perez	DCD	x		
Bobbi Marsells	DCD	x		
See attached labels		9/30/09		

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #:	090396 **Version:** 0		
Type:	Ordinance	**Status:**	In Committee
File created:	7/28/2009	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	
Effective date:			
Title:	An ordinance relating to zoning district boundary descriptions.		
Sponsors:	THE CHAIR		
Indexes:	ZONING		
Attachments:	Proposed Substitute A, City Plan Commission Letter, Zoning Code Technical Committee Letter, Minutes of the September 16th ZCTC Meeting, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
7/28/2009	0	COMMON COUNCIL	ASSIGNED TO		
7/30/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/3/2009	0	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
10/1/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

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Number
090396
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
An ordinance relating to zoning district boundary descriptions.
Sections
295-109-3 am
295-109-4 rc
Analysis
This ordinance stipulates that zoning district boundaries shall follow property lines. A district boundary shall not follow a street, alley or railroad centerline, or a watercourse centerline unless the centerline is also a property line. These rules shall not apply to the boundaries of overlay zoning districts.

This ordinance also provides that, if a land combination or division will result in a lot being located in 2 zoning districts, the commissioner of city development shall assign a single zoning designation to the lot, that designation being the zoning district in which the majority of the lot is located.
Body
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-109-3 of the code is amended to read:

295-109. Zoning Map.

3. COMBINING OR DIVIDING PROPERTY. To insure that the zoning of property reflects its suitability for specific uses, the combination or division of lots will only be permitted if the lot or lots created meet the requirements of this chapter and each lot is located wholly within one base zoning district. >>If a land combination or division will result in a lot being located in 2 zoning districts, the commissioner shall assign a single zoning designation to the lot, that designation being the zoning district in which the majority of the lot is located.<<

Part 2. Section 295-109-4 of the code is repealed and recreated to read:

4. DISTRICT BOUNDARIES. The following rules shall be used to establish the precise location of any zoning district boundary line shown on the zoning map:

a. Except as provided in par. c, every district boundary line shall coincide with a property line. The centerlines of streets, alleys, railroads and watercourses shall not be district boundary lines except that, in the case of a watercourse, if the centerline of the watercourse is a property line, the centerline may also be a district boundary line.

b. If a street, alley or other public right-of-way is vacated, the vacated land will assume the zoning of the adjoining parcel, as determined by the commissioner.

c. The boundaries of an overlay zone established pursuant to subch. 10 need not coincide with

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property lines.

LRB

APPROVED AS TO FORM

_____

Legislative Reference Bureau

Date:_____

Attorney

IT IS OUR OPINION THAT THE ORDINANCE IS LEGAL AND ENFORCEABLE

_____

Office of the City Attorney

Date:_____

Requestor

Department of City Development

Drafter

LRB09284-1

JDO

07/20/2009

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..Number
090396
..Version
PROPOSED SUBSTITUTE
..Reference

..Sponsor
THE CHAIR
..Title
A substitute ordinance relating to zoning district boundary descriptions.
..Sections
295-109-3 am
295-109-4 rc
..Analysis
This ordinance stipulates that zoning district boundaries shall follow property lines. A district boundary shall not follow a street, alley or railroad centerline, or a watercourse centerline unless the centerline is also a property line. These rules shall not apply to the boundaries of overlay zoning districts.

This ordinance also provides that, if a land combination or division resulting from a right-of-way vacation will result in a lot being located in 2 zoning districts, the commissioner of city development shall assign a single zoning designation to the lot, that designation being the zoning district in which the majority of the lot is located.
..Body
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-109-3 of the code is amended to read:

295-109. Zoning Map.

3. COMBINING OR DIVIDING PROPERTY. To insure that the zoning of property reflects its suitability for specific uses, the combination or division of lots will only be permitted if the lot or lots created meet the requirements of this chapter and each lot is located wholly within one base zoning district. >>If a land combination or division resulting from a right-of-way vacation will result in a lot being located in 2 zoning districts, the commissioner shall assign a single zoning designation to the lot, that designation being the zoning district in which the majority of the lot is located.<<

Part 2. Section 295-109-4 of the code is repealed and recreated to read:

4. DISTRICT BOUNDARIES. The following rules shall be used to establish the precise location of any zoning district boundary line shown on the zoning map:

a. Except as provided in par. c, every district boundary line shall coincide with a property line. The centerlines of streets, alleys, railroads and watercourses shall not be

district boundary lines except that, in the case of a watercourse, if the centerline of the watercourse is a property line, the centerline may also be a district boundary line.

b. If a street, alley or other public right-of-way is vacated, the vacated land will assume the zoning of the adjoining parcel, as determined by the commissioner.

c. The boundaries of an overlay zone established pursuant to subch. 10 need not coincide with property lines.

..LRB

APPROVED AS TO FORM

_____

Legislative Reference Bureau

Date:_____

..Attorney

IT IS OUR OPINION THAT THE ORDINANCE IS LEGAL AND ENFORCEABLE

_____

Office of the City Attorney

Date:_____

..Requestor

Department of City Development

..Drafter

LRB09284-2

JDO

09/16/2009

September 22, 2009

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

Dear Committee Members:

File No. 090396 relates to zoning district boundary descriptions.

This file stipulates that zoning district boundaries shall follow property lines. A district boundary shall not follow a street, alley or railroad centerline, or a watercourse centerline unless the centerline is also a property line. These rules shall not apply to the boundaries of overlay zoning districts.

This file also provides that, if a land combination or division *as a result of a vacation or other change in right-of-way* will result in a lot being located in 2 zoning districts, the commissioner of city development shall assign a single zoning designation to the lot, that designation being the zoning district in which the majority of the lot is located.

The Zoning Code Technical Committee (ZCTC) met on September 16, 2009 and reviewed the original ordinance. ZCTC moved to make a minor change to part 3, which is noted in italics in the above text. The Assistant City Attorney expressed concerns about how the proposed ordinance would result in the lack of zoning on rights-of-way and bodies of water, citing restaurant patios on the sidewalk, closure of streets for parties and issues pertaining to riparian rights over waterways as examples. DCD staff stressed that rights-of-way are under DPW control, and there are no incidents of zoning issues over bodies of water that were recalled. Nancy Olsen of ITMD explained how the proposed ordinance will improve administrative efficiency by simplifying the zoning map and database process.

Since the proposed amendment meets the standards of legality, enforceability, administrative efficiency, and consistency with the zoning code, the City Plan Commission at its regular meeting on September 21, 2009, recommended approval of the file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

c: E. Richardson

September 24, 2009

The Honorable
Members of the Zoning, Neighborhoods and Development Committee

Honorable Members:

Pursuant to s. 295-307-7-b of the Milwaukee Code of Ordinances, the Zoning Code Technical Committee, on September 24, 2009, reviewed Common Council File Number 090396, an ordinance relating to zoning district boundary descriptions.

Based on this review, the Committee found as follows:

With respect to legality and enforceability, the proposed ordinance meets this standard.

With respect to administration efficiency, the proposed ordinance meets this standard.

With respect to consistency with the format of the zoning code, the proposed ordinance meets this standard.

The committee further recommended adoption of a substitute that clarifies that the new language regarding land combination or division applies only to combination or division resulting from a right-of-way vacation.

Respectfully Submitted,

Teodros W. Medhin, Ph.D.
Chair, Zoning Code Technical Committee

City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes - Final

ZONING CODE TECHNICAL COMMITTEE

TEODROS MEDHIN, CHAIR
Stuart Mukamal, Ed Richardson, Ronald Roberts
Staff Assistant: Tobie Black, 286-2231; tblack@milwaukee.gov

Wednesday, September 16, 2009 | **2:30 PM** | **Room 301-B, City Hall**

Meeting commenced at 2:34 p.m.

Present 4 - Medhin, Mukamal, Richardson and Roberts

1. **090396** An ordinance relating to zoning district boundary descriptions.

Sponsors: THE CHAIR

Individuals also appearing:

Jeff Osterman, Legislative Reference Bureau
Al Franitza, Department of City Development
Kristin Connelly, Department of City Development
Nancy Olson, Department of City Development

Mr. Richardson stated that the ordinance is necessary due to a change in the mapping software that the city uses. The city now uses a parcel-based system linked to the city's Master Property File.

Atty. Mukamal said that there are issues of feasibility, not legality, in the ordinance. He addressed the issues brought up in an e-mail from Tom Gartner of the City Attorney's office, including the concern that the ordinance will result in some streets, with different zoning classifications on different sides, and some waterways not being zoned at all. Atty. Mukamal said that a street or waterway would not be under any zoning designation under the ordinance.

Mr. Franitza stated that prior to 2002, there was no consistency when it came to zoning lines and zoning lines would be drawn down the middle of a street or river. The city's system now has parcel-based capabilities. He said that zoning irregularities will be erased, and there will be a clean slate for zoning maps.

Atty. Mukamal asked if the term "majority of the lot" really means majority of the land area. Mr. Franitza said yes; Atty. Mukamal suggested that the ordinance be clarified to reflect that.

Mr. Franitza said that streets are zoned because they are public right-of-way. Therefore, no zoning issue is created if someone wants to block off a street for something such as a block-party.

Ms. Olson said that zoning information would be stored in the MPROP, which all city departments would use. This would eliminate any differences in available information

about zoning if the information is obtained through different sources by city departments or by the public.

Mr. Franitza said that a zoning map is only going to be as accurate as a base map. He said that the ordinance will reduce the work of maintaining two different zoning maps.

Mr. Roberts said that he is concerned about whether or not a non-conforming use is allowed if a property owner buys adjacent land with a different zoning applied to it. Mr. Franitza said that would only occur if the properties were combined. Mr. Roberts said that based on the ordinance, if purchased, those parcels would be come part of the larger lot. Ms. Connelly said that a certified survey map would be required to combine the small lot and the larger lot and that the combination of two different parcels with two different zoning designations would be prohibited.

Atty. Mukamal said the text of the ordinance should reflect the fact that ordinance does not apply to abutting lot line adjustments.

Ms. Olson said that there are rules with regard to combining lots. She asked if the rules about combining two lots would prevent that encroachment. Mr. Roberts said that if a large property owner sees the ordinance and assumes that the smaller lot that was purchased would assume the zoning of the larger lot, what would prevent this from happening?

Ms. Connelly said that the city ordinance allows for a sale to an abutting land owner of a portion of land as long as it doesn't create a new parcel and as long as nothing conflicts with underlying zoning regulations. If a land owner does not know about the underlying zoning and believes that he can just purchase from his neighbor and buys the land, and the Department of City Development receives the deed and it shows a split zoning, the city could technically correct it. She said that the purpose of the ordinance is to do just that.

The committee agreed that the text in the ordinance regarding abutting line adjustments is not necessary.

Mr. Richardson moved, seconded by Atty. Mukamal, that the ordinance as proposed meets the three standards the Committee is required to use and recommended adoption of a substiture that clarifies that the new language regarding land combination or division applies only to combination or division resulting from a right-of-way vacation. Prevailed 4-0.

Mr. Osterman will draft a propsed substitute consistent with the Committee's motion.

Meeting adjourned at 3:19 p.m.

NOTICES SENT TO FOR FILE : 090396

NAME	ADDRESS	DATE NOTICE SENT		
Vanessa Koster	DCD	10/1/09		
Jeff Osterman	LRB	x		