



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

Lafayette L. Crump
Commissioner

Vanessa L. Koster
Deputy Commissioner

3rd Ald. District

**CITY PLAN COMMISSION
ZONING REPORT**

Ordinance File No. [220401](#)

Location: Part of 2604-44 North Hackett Avenue

**Applicant/
Owner:** DeMichele Company, LLC (applicant); St. Mark's Episcopal Church (owner)

**Current
Zoning:** Multi-Family Residential (RM3)

**Proposed
Zoning:** Multi-Family Residential (RM6)

Proposal: This file relates to the change in zoning from Multi-Family Residential, RM3, to Multi-Family Residential, RM6, to facilitate a multi-family residential development on the northern portion of 2604-44 North Hackett Avenue, located on the east side of North Hackett Avenue, north of East Bellevue Place, in the 3rd Aldermanic District. This zoning change was requested by DeMichele Company, LLC and will allow a multi-family development on a portion of the subject site.

Currently, the future development site (and subject of this zoning change file) is part of the St. Mark's Episcopal Church property, and consists of open space and a surface parking lot. A Certified Survey Map (CSM) is underway to divide the existing parcel into two separate lots to create the development parcel, which the applicant intends to purchase. The balance of the site will remain owned by the church and zoned RM3. The church intends to demolish and reconstruct the annex addition portion of its facility which is associated with this project due to the nature of the land division and property sale, but is not the subject of this zoning change.

The applicant is proposing to develop a 4-story apartment building consisting of studio, 1- and 2-bedroom units. In total, 55 dwelling units and 69 underground parking spaces are being proposed. This site falls within the locally designated Downer Avenue Commercial Historic District, so the design of new buildings at this site are subject to the HPC guidelines for the Downer Avenue Commercial

District. The development team is proposing materials and building forms that fit within the local, historic context.

The Dept. of Public Works reviewed this proposal and concluded that DPW did not have concerns related to traffic impacts of the proposal or that any additional Traffic Impact Analysis would be required. North Hackett Avenue is a northbound one-way street and the function of the street is not proposed to be altered for this development. DPW’s review also noted that the existing parking garage at the corner of Bellevue and Downer can be used to mitigate parking impacts caused by elimination of the existing church parking lot.

Zoning Analysis:

The current zoning district, RM3, is similar in many respects to the proposed RM6 district, with one main difference being that RM6 allows for additional housing units to be constructed on a parcel via a lower minimum lot area per dwelling unit requirement. The following table details the differences between the two zoning districts as well as the proposed project details:

	RM3 Standard (current)	RM6 Standard (proposed)	Development Proposal
Number of parking spaces (ratio of spaces to dwelling units)	1:1 ratio, with 25% additional reduction for proximity to transit (42 spaces required for the 55 proposed units)	2:3 ratio, with 25% additional reduction for proximity to transit (28 spaces required for 55 proposed units)	69 parking spaces
Number of units (lot area/dwelling unit)	2400 sq. ft./du (12 allowed)	400 sq. ft./du (75 allowed)	55 units (546 sq. ft. lot area/du)
Lot coverage, maximum, interior lot	50%	70%	16,720 sq. ft. coverage = 55.65%
Max. building height	45 ft	85 ft	46 ft. (parapet) 44 ft. (roof deck)

The front, side, and rear setbacks proposed for the development were also reviewed against the standards for the RM3 and RM6 districts, and the side and rear setbacks proposed for the building would be permitted in both the current RM3 and proposed RM6 zoning districts. The RM6 district has a maximum front setback of 15 feet, as opposed to 20 feet in RM3, and this slightly reduced setback is contextual with the adjacent church building, and the existing multi-family buildings on the opposite side of Hackett, which were constructed with minimal front setbacks.

Community Outreach:

The development team hosted an informational meeting on June 13, 2022 via Zoom to discuss the residential development proposal and the associated proposal for the St. Mark’s Episcopal Church building. A mailing was provided to residents within a 250’ radius of the site. The meeting’s participants included representatives from Catalyst Construction, the DeMichele Group, HGA Architects, St. Mark’s Episcopal Church, and the City of Milwaukee, as well as residents of the neighborhood. The meeting was hosted by the development

team since the aldermanic seat for this district is currently vacant. Approximately 100 attendees were present for the virtual meeting.

The development team utilized the meeting to familiarize residents of the proposed project and gather their input. The agenda included introductions from the development team, a description of the proposal and process, presentation of schematic design concepts, and comments and questions from the public. Many residents spoke during the meeting, providing comments both in support and opposition to the proposal.

Historic Preservation

Commission:

This site is within a local historic district, and the development proposal came before the Historic Preservation Commission at its meeting on July 11, 2022. HPC reviewed both the proposed demolition and reconstruction of the existing church parish hall as well as the construction of the new four-story apartment building proposed for the site subject to this zoning change. This review included reviewing the design details including materials, window design, balconies, form and scale to determine whether they complied with the design standards for new construction in this historic district.

After this review and hearing testimony from several members of the public, the Historic Preservation Commission approved the plans for the new multi-family building with minor conditions that the applicant shall address in an updated submission to HPC staff. Those conditions include providing details on the windows (manufacturer, section details, and exterior details), exploring a railing system that is more substantial than the metal railings that appeared in the drawings, and (though not mandatory) a suggestion that a prominent cornice or parapet be added to the building.

The building plans conditionally approved by the Historic Preservation Commission for this site, as well as letters of support and opposition received from community members by HPC during its review of this proposal are included within the subject HPC file for this item:

<https://milwaukee.legistar.com/LegislationDetail.aspx?ID=5694030&GUID=681E6B7E-5C39-4FA6-9E9D-974FDA481187&Options=ID|Text|&>

Adjacent Land Use:

St. Mark's Episcopal Church is located directly south of the subject site, at the corner of N. Hackett Avenue and E. Bellevue Place. Properties to the northeast along Hackett Ave. include Church in the City and a residential condominium building, both of which are zoned Multi-Family Residential (RM3). Properties to the northwest across Hackett Ave. include apartments and commercial spaces within the Local Business (LB2) zoning district and Downer Avenue Redevelopment General Planned Development. The east side of the block includes homes in the Single-Family Residential (RS5) zoning district.

Existing multi-family residential properties in the adjacent vicinity of the Downer Avenue Commercial District fall into a range of multi-family zoning districts, including the RM4 and RM7 zoning districts.

**Consistency with
Area Plan:**

The property at 2604 N. Hackett Avenue is within the Upper East Side sub-area of the Northeast Side Area Plan, part of the City's overall comprehensive plan. The Northeast Side Area plan was developed with extensive community input. The Northeast Side Area Plan provides overall land use policies and strategies as well as policies and strategies for residential and commercial areas. As the property is at a transition point between the Downer Avenue Commercial District and the residential areas to the east, policies and strategies for both residential and commercial areas may be applicable.

Overall land use strategies include to "Consider historic buildings, sites and districts as valuable irreplaceable assets to be used as key pieces of larger redevelopment efforts. Whenever possible, channel new development to vacant and underutilized land (e.g. surface parking lots) before allowing tear-downs of historic and noteworthy buildings" (NESAP pg. 87-88). A new multi-family building at this location would redevelop an underutilized site within the Downer Avenue Commercial Historic District, and reinforce the traditional urban form of the district.

The overall land use policies and strategies also state that "For all new development and redevelopment projects, minimize parking as a component of the overall use or mix of uses. Reduce or eliminate parking requirements where good transit options are available. As a city-wide initiative, couple parking area reductions with transit improvements over time" (NESAP pg. 88). The site is within a walkable area and is well served by transit. The proposed designs approved by the City's Historic Preservation Commission would construct 69 parking spaces for 55 dwelling units or about 1.25 spaces per unit. While this amount of parking significantly exceeds code requirements, the proposed design keeps all parking below grade minimizing its negative impact on the character of this walkable and historic district.

Policies and strategies in the Northeast Side Area Plan also include to "Encourage shared parking. Create a menu of varied shared public parking options and design standards that will work for different land uses (residential, commercial, industrial, park, civic, etc.)". (NESAP pg. 98). There is a large public parking structure approximately 200' to the south and a public parking lot approximately 500' to the northwest that serve as shared parking assets for the district.

Residential land use strategies in the Northeast Side Area Plan include a recommendation to "preserve traditional neighborhood use patterns and update to fit changes in households, markets, lifestyles, etc. Design infill development and new construction to blend in with the existing context" (Page 89). The use, scale and massing allowed by the RM6 zoning district is common for multifamily buildings in the area, including residential areas immediately adjacent to the Downer Avenue Commercial District. A new multifamily building in this location, designed to be compatible with the surrounding context, will reinforce these traditional land use patterns while providing new housing with modern amenities.

Residential strategies in the Northeast Side Area Plan also recommend to “Return vacant lots to productive uses as soon as possible” (Pg. 91). The site is currently underutilized and the northern portion of the site is vacant, creating a gap in the street wall and in the built fabric of the district. A new multifamily development on the northern portion of the site would add to the City’s tax base, bring new activity to the area, and reinforce the continuity of the built environment.

Commercial standards in the Northeast Area Plan include to “Introduce high-density multi-family housing to commercial districts (in keeping with the scale of those districts) as a way of adding a stable market for commercial goods and services, and a stable population of “regular customers” that brings morning to evening activity to the street” (Page 92). The site is immediately adjacent to the center of the Downer Avenue Commercial District, and warrants a higher density than allowed by the RM3 zoning designation. A rezoning to RM6 would allow for a new development that contributes to the district by adding to the number of people in the immediate vicinity without encroaching on lower density residential neighborhoods nearby.

The site is within the Upper East Side sub-area of the Northeast Side Area Plan. Recommendations for Upper East Side sub-area include to “Intensify commercial areas, but do not encroach or expand into residential areas. Provide commercial-to-residential transitions where possible, use transitions such as multi-family sandwiched between single-family residential and commercial; or scale transitions such as a gradual stepping up in height from residential to commercial districts” (page 204). The development proposed for this site, designed within the limits of the RM6 zoning and the applicable historic district restrictions, would create an appropriate scale and use transition between adjacent areas consistent with this recommendation from the Plan. The Plan also recommends to “Repair the urban fabric” (page 204) in the Upper East Side sub-area. A new multifamily building at this location would help to reinforce the urban form of the district.

The Historic Preservation Commission review of this proposal has also concluded that the proposed designs are appropriate within the surrounding context.

The proposed rezoning from RM3 to RM6 for a portion of the property at 2604-44 North Hackett Avenue is consistent with the Northeast Side Area Plan. The proposed rezoning will also serve as a key part of implementing the plan, as it advances several goals for the Northeast Side Plan Area, the Upper East Side sub-area, and the Downer Avenue Commercial Historic District.

Previous City

Plan Action: None.

Previous Common

Council Action: None.

Staff

Recommendation: The proposed development precipitating this zoning change request is largely

consistent with the current RM3 zoning standards in effect for the site in terms of the building envelope and placement. The increase in density that would be allowed by this proposed zoning change to RM6 is supported by the Northeast Side Plan. This site is located a half block from a local commercial corridor and provides additional housing options within walking distance of a major bus line and neighborhood-serving uses, and supports the goal of utilizing multi-family residential development to support the vibrancy of neighborhood commercial corridors. Changing the zoning district of this site to RM6 is generally contextual with the existing residential zoning in place surrounding the Downer Avenue Commercial District, which includes parcels zoned for higher density multi-family development. Any building proposed for the subject site remains governed by additional historic district standards, which include standards for building siting, scale, and form. The Historic Preservation Commission approved the design of the building proposed for this site, determining that it was consistent with the local historic district standards and the goals of facilitating new development that reinforces the character of the historic district. The proposal returns a currently tax-exempt parcel to the tax rolls, consistent with Northeast Side Plan recommendations to support taxable uses to bolster the City's tax base. Because of these items, staff suggests that the City Plan Commission recommends approval of the subject file.