

**Exhibit A**  
**File No. 230044**  
**1<sup>st</sup> Amendment to Detailed Planned Development known as "Nova"**  
**1237 N Van Buren St, Milwaukee Wi, 53202**  
**04/25/2023**

**File History:**

A Detailed Planned Development (DPD) was approved in 2021 as File No. 201143 to allow construction of 9-story, approximately 251 unit residential mixed use building with first floor commercial space. The DPD was subsequently modified in 2021 as File No. 210171 to allow changes to the glazing pattern of the building at the southeast corner and the second floor balconies of the east façade. The purpose of this amendment (File No. 230044) is to allow a Commercial Hotel for a period of 2 years within the residential portion of the building.

**Project Summary (UPDATED):**

New Land Enterprises is proposing a new mixed-use residential building on the site of the former Buca di Beppo restaurant, located at 1237 North Van Buren Street. The existing building, which is set back from the street, will be demolished, along with the existing surface parking lot. The new building will be constructed to meet the lot lines on the three street frontages of the site. The primary façade shall face east, with frontage along Van Buren Street. The two secondary facades shall face south and west, and will have frontage along Juneau Avenue and Jackson Street. No surface parking is being proposed on the site.

The building will be eight stories tall along Van Buren Street and nine stories tall along Jackson Street; and shall consist of up to 251 market-rate residential apartments and townhomes. Each unit will have access to a private outdoor terrace or balcony. Undersides of all balconies shall be of a finished quality. Each townhouse unit includes a patio with a masonry garden wall, and an iron railing comprising the top portion of the garden wall- for added visibility. The garden wall also includes a lockable iron gate for unit security. The renderings in the attached drawings depict the design of the townhouse walls along Van Buren and the final design may differ slightly from these drawings. Final townhouse wall design will be submitted to DCD staff for review and approval prior to issuance of permits to ensure that the final design reflects comments provided by the City Plan Commission at its March 8, 2021 meeting.

A number of residential amenities shall be provided, including an outdoor pool deck, community room, fitness area and on-site management office.

A two-story retail space occupies the first floor at the corner of Van Buren and Juneau, activating the street at this major intersection. A two-story lobby for apartment residents is also being proposed along Van Buren. There are three levels of indoor parking being proposed, with room for up to 302 cars as well as bicycle parking per City ordinance. Garage access will be located on the south and west sides, entered off Juneau Avenue and Jackson Street. Trash collection will occur on the lowest parking level. Short-term bicycle parking will be provided for retail patrons and visitors along Van Buren Street.

**(UPDATED) This 1<sup>st</sup> Amendment to the DPD will add Commercial Hotel as a permitted use inside of the residential portions of the building for a limited (not more than 2 years**

from the date of the issuance of the building's unconditional occupancy permit) period of time to allow the use of up to 90 market-rate residential apartments (of the 251 total residential units) for short term rental (overnight stays of 29 consecutive days or less). Current expectation is 84 units or less. Per the zoning code, more than 4 short term rental units in one building is classified as a Commercial Hotel, making this amendment necessary. All applicable licenses and approvals outside of zoning will be obtained for this Commercial Hotel use.

The temporary hotel use will help activate the newly delivered apartment building and surrounding area, and start generating tax revenue for the City of Milwaukee, Milwaukee County, and State of Wisconsin. The total number of temporary hotel units will not exceed 36% of the total dwelling units in the building, and the number of units available for temporary hotel use will steadily decrease as the building leases up with long-term residents. The temporary hotel use will not exceed 24 months from the date the building's Certificate of Occupancy is issued. This use does not involve any construction or changes to the exterior of the building.

The building is enclosed with a combination of brick and fiber cement board cladding. The first two floors along the north elevation as well as the facades along the adjacent USPS building are precast concrete panels due to their proximity to the property lines and adjacent buildings. The residential entry is located on the north of the east side with future commercial tenant entry on the south east corner. The main mass of the building along the west, east, and south facades is comprised mainly of brick. The recessed portion of the east façade from the third through eighth floor is comprised of a contrasting dark fiber cement board cladding, punctuated with inset linear light fixtures. The recessed portions of the north facade as well as the south and west facades facing the adjacent USPS building are comprised mainly of fiber cement board cladding. The glazed overhead door entry to the parking levels is on the west side along Jackson Street with an additional glazed overhead door on East Juneau Ave.

**District Standards (s. 295-907) (UPDATED):**

Uses (UPDATED):	<p>One mixed-use multi family dwelling building and all uses accessory and ancillary to this, with parking structure accessory use. This building will be comprised of up to 251 dwelling units with up to 302 structured parking spaces. Additionally, uses accessory to the multi-family use may occupy the spaces; e.g., fitness room, club room, etc. as well as a 2,200 SF retail spaces provided on the first floor along N Van Buren St and E Juneau Ave. Uses permitted in the first floor commercial space shall follow the permitted uses in the Local Business (LB3) Zoning District, as outlined in City of Milwaukee Zoning Ordinance (295-601).</p> <p>Commercial Hotel (5+ short term rental units within one building). A maximum of 90 dwelling units permitted to be used for overnight stays of 29 consecutive days or less</p>
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DPD Owner's Written Narrative

	for a period not to exceed 24 months from the date of issuance of the Unconditional Certificate of Occupancy for the building.
Design standards:	Building design reflected in the drawings, in conformance with Milwaukee Citywide Urban Design Guidelines
Density (sq. ft. of lot area/dwelling unit):	217.4 sf per dwelling unit
Space between structures:	n/a
Setbacks (approximately):	North: 0'-0" South: 0'-0" East: 0'-0"-2'-3" West: 0'-0"
Screening:	All utility and HVAC equipment will be housed inside building or on the roof behind screening. Condenser units to be located on balconies and terraces, adjacent to dwelling units.
Open space:	A 1'-3" to 3'-2" buffer will exist along the edges of the site adjacent to the existing neighboring USPS building.
Circulation, parking and loading (UPDATED):	<p>Pedestrian access: Access occurs through the main lobby on N Van Buren St or through pedestrian doors on the west façade along N Jackson St. Commercial entrance will be along North Van Buren Street.</p> <p>Townhouse units will have individual entrances off of N Van Buren St.</p> <p>Automobile access and parking: Access occurs through two overhead garage doors, one on N Jackson St and one on E Juneau Ave.</p> <p>Accessible parking and circulation: appropriate accessible parking spaces will be provided in accordance with 2015 IBC 1106.2. Each type of accessible parking will be provided, and at least one accessible route from accessible parking spaces to accessible dwelling units will be provided. Type 3 curb cut ramps to be installed at Juneau and Van Buren. ADA unit types provided as required, and dispersed among the various unit options that are provided.</p> <p>Bicycle parking: Bicycle storage racks will be provided in the garage.</p> <p>Loading: Residential loading and unloading will occur at the main lobby entrance on N Van Buren St.</p> <p>Garbage Pickup: Refuse collection for the 251-unit building is to be handled via private bins located in the trash room on the basement floor of the building, and collected at the Jackson Street entry. Trash collection trucks shall not ever block the streetcar on Jackson street. Move ins/outs for the residents will occur via the loading area on the east side of the building.</p> <p>Existing parking: current surface lot can continue to operate as-is in its current footprint until the future development occurs.</p>

	<p>Commercial Hotel. Regarding the temporary hotel use: Hotel guests will enter and leave the property in the same manner that a residential tenant would enter or leave the property. Parking requirements and traffic impacts for hotel use are both lower than the requirements for the residential units, therefore no negative impact is anticipated as a result of the temporary use. One parking space will be available for each residential unit used as a part of the Commercial Hotel component. Hotel operations will utilize the building's existing access control, refuse and disposal services, as well as future loading zone at the building entrance. Hotel management staff will be onsite 24/7 to assist with guest arrivals, guest services, and housekeeping. The on-site hotel staff will be housed in one of the units and will attend to guests from that unit, as a form of reception area. The on-site hotel staff will be allowed access to the building's management office for administrative needs.</p>
Landscaping:	<p>Landscaping: Spaces for landscaping exist between the townhouse garden walls along N Van Buren St. and adjacent to the residential lobby. Each planting location is proposed to have columnar evergreen plants, as scheduled in the landscape plan.</p> <p>All required vegetation shall be of a quality consistent with the standards of the American association of nurserymen (ANSI 260.1). All required vegetation shall be maintained on an ongoing basis, including seasonal tree and plant replacement.</p> <p>The existing site or interim condition must be maintained in an orderly fashion consistent with the zoning standards of the site prior to rezoning to DPD, including all existing turf and landscaping, until such time that the subject DPD is constructed. All landscaping and required site features shall be installed within a maximum of 30 days total of the City issuing a Certificate of Occupancy (excluding time between December 1 and March 1) for the subject DPD.</p>
Lighting:	<p>Adequate lighting shall be provided along the street elevations of the development. Retail canopies, entry canopies, and building entrances will feature downlights and downward directed wall sconces as part of the overall architectural lighting design. Non-projecting decorative fixtures will be provided at the individual entrance gates to the townhomes on N. Van Buren. The amenity terrace will include bollard and foot lighting with minimal overspill and no up-lighting. Additional decorative architectural lighting is being proposed on the east façade of the building. All lighting shall comply with requirements outlined in section 295-409-2 of the City of Milwaukee City Charter and Code of Ordinances.</p>

## DPD Owner's Written Narrative

Utilities:	All utility lines shall be installed underground if possible, otherwise existing poles will remain in place. Transformers and substations will be installed within buildings or otherwise screened from view.
Signs (type, square footage, quantity and placement) (UPDATED):	<p>Freestanding signs: n/a</p> <p>Building wall signs: Building signage will include a wall mounted name and address sign located at the residential lobby entrance. The address sign will be back-lit pin mounted lettering on face of brick or similar, but will be Type A. Commercial signage will be located in sign area noted in the architectural elevations. Design and quantity of commercial signage to be determined by future tenancy. Signs will be constructed of materials that match the building and will not exceed 2'-6" in height. Final signs will be reviewed and approved by DCD staff. Signs will be "Type A" and will comply with the restrictions for a C9C District in the City of Milwaukee Code of Ordinances section 295-6705-57. There will be no off-premise signs.</p> <p>Building mural: All mural artwork to be completed within 180 days (6 months) of building completion.</p> <p>Temporary signs: Temporary signage during construction and leasing will consist of up to two (2) 4'-0" x 8'-0" banners with a printed graphic of the project and contact information attached to the construction fence.</p> <p>Other signs: If used, window signage will not exceed 25% of glazing area.</p> <p>Illumination: Residential building signage will be back-lit. Commercial signage will be determined by future tenancy and approved by DCD staff.</p> <p><b>Commercial Hotel. Regarding the temporary hotel use: No permanent exterior signage will be erected for the temporary hotel use. To direct guests, wayfinding signage will be placed inside the building's entry vestibule , within the building, and within garage areas for the duration of the hotel operations. All signage will meet any applicable dimensional and other requirements.</b></p>

### **Site Statistics (UPDATED):**

Gross land area:	54,561 SF (1.25 Acres)
Maximum amount of land covered by principal buildings (approx.):	Sq. ft.: 50,977 SF % of site: 93%
Maximum amount of land devoted to parking, drives and parking structures (approx.):	Sq. ft.: 38,235 SF % of site: 71%

## DPD Owner's Written Narrative

Minimum amount of land devoted to landscaped open space (approx.):	Sq. ft.: 1,730 SF % of site: 3%
Max proposed dwelling unit density (lot area per dwelling unit):	217.4 SF per dwelling unit.
Proposed number of buildings:	One
Max dwelling units:	Up to 251
Bedrooms per unit:	One, two, and three bedroom units.
Parking spaces provided (approx) (UPDATED):	<p>Automobile spaces: Up to 302 stalls – All residential (of these stalls, one space will be allocated for each residential unit utilized in hotel operations in the event a guest wishes to use one)  Ratio per residential unit: 1.2  Spaces per 1000 sq ft for non-residential uses: 0</p> <p>Bicycle spaces: 53 Long term bicycle parking spaces. 9 Short term bicycle parking spaces.  Note: Number, placement, and type of bicycle parking shall follow the provisions of the zoning code (s. 295-404).</p> <p>The site is served by five MCTS bus lines.  The 30 and 15 line on N. Van Buren Street, with a stop at the S/E corner of the site.  The 15 and 33 line one block west on East Juneau Ave.  The 14 four blocks east on N Astor St.  The Gold line five blocks east on N Prospect Ave.</p> <p>Additionally, the site is served by the Hop street car service at the Jackson/Juneau Northbound and Southbound stations on Jackson Street directly adjacent to the building site.</p>

### **Time Limit on Zoning:**

Per s. 295-907-2-c-11, the DPD zoning designation shall be null and void within 5 years from the effective date of the ordinance amending the zoning map to create the DPD, and the zoning of the property shall be changed to **GPD zoning district** at that time unless the criteria identified in 295-907-c-11-a and –b are met. The time period specified pursuant to subd. 11 may be extended only by an ordinance amending the DPD, pursuant to s. 295-307.