

FOREST COUNTY POTAWATOMI LEGACY DISTRICT

FCPC HOTEL AND PARKING STRUCTURE ADDITION

MINOR MODIFICATION TO DETAILED PLAN OF DEVELOPMENT

APRIL 4, 2013 (REVISED APRIL 18, 2013)

COMMON COUNCIL FILE NO. 121720

I. INTRODUCTION.

The Forest County Potawatomi Community (the “Tribe”) requests approval of certain minor modifications to the existing Detailed Planned Development District (“DPD”) zoning applicable to property at and around 1721 West Canal Street.

The existing DPD zoning was created by an ordinance adopted by the Common Council on April 11, 2012, in File No. 111296. The improvements contemplated for the site include a luxury hotel and related amenities, including a parking structure.

The modifications sought herein include elimination of floors from the hotel tower, certain other exterior changes as will be described below, and deferral of construction of the porte cochere at the hotel entrance. None of the proposed modifications will alter the character of the development as an attractive, high-quality luxury hotel.

The general objective of these modifications is to align construction costs with the project budget, and to do so without compromising the quality of the project.

II. ACCOMPANYING PLAN SHEETS.

Below is a list of plan sheets accompanying this submission. The designations of the plan sheets correspond to the designations of plan sheets in the existing DPD. The modifications are called out on each sheet for convenience of reference. Plan sheets in the existing DPD for which no modified version appears have not been changed.

DPD-9A Proposed North Building Elevation – Hotel

DPD-9B Proposed East Building Elevation – Hotel

DPD-9C Proposed South Building Elevation – Hotel

DPD-9D Proposed West Building Elevation – Hotel

DPD-9E Proposed Hotel Perspective

III. SUMMARY OF MODIFICATIONS.

A. Eliminate Three Floors.

Last year Cuningham Group Architecture reviewed the elimination of one of these three floors with the Design Review Team, and they approved the proposed change administratively. The original DPD Submittal depicts a structure with 22 floors, 3 within the base of the structure (the “podium”), and 19 in the hotel tower. (Level 22 was a service level.) The Tribe is now proposing the removal of two additional floors. The hotel tower would be reduced to 16 floors. Overall height of the building (to the top of the illuminated lantern) would be reduced from approximately 407 feet to approximately 368 feet. This will have little if any effect on the visual impact of the structure. The setback glazing at the 4th floor (the first floor of the tower), intended to create a visual separation between the tower and the podium, will be retained. Room count will be retained (at approximately 381) by altering the mix of standard rooms and suites and eliminating or deferring to future construction some other less important uses. *See also* Item B.

B. Eliminate Top Floor and 4th Floor Roof Decks.

The Tribe is proposing to delete the decks on the top floor and the north end of the 4th Floor and enclose these areas to gain additional Guest Rooms.

C. Eliminate Tribal Room.

The existing DPD shows as part of the podium a circular meeting room with the shape of a truncated cone. This feature would be eliminated.

D. Eliminate Bridge from Hotel to Casino.

The Tribe proposes to delete the back-of-house service bridge from the Hotel to the Casino at the southeast corner of the Hotel.

E. Eliminate Ornamental Metal Screens on Podium.

The existing DPD depicts ornamental metal screens outside of the windows of the podium. These screens would be deleted.

F. Substitute Exterior Metal Panel System with EIFS Panels on the Tower Façades and with Cementitious Panels on Podium.

The DPD currently provides that non-glazed portions of the faces of the hotel tower and the south and west faces of the Podium will be a composite metal panel system. The Tribe proposes to replace this cladding with a synthetic Exterior Insulation and Finishing System (“EIFS”) product. The Tribe also proposes to replace the metal cladding system on the non-glazed portions of the east and north faces of the podium with a cementitious panel system. The EIFS and cementitious

panels will have patterning and color very similar to the previously contemplated metal panels. There will be little if any change in the appearance of the structure.

G. Deferred Construction of Porte Cochere.

The existing DPD contemplates a large steel porte cochere extending outward from the entrance vestibule of the hotel. The Tribe is proposing to defer construction of this item for two reasons. First, deferral is needed as a cost-saving measure to assist in bringing the current project within budget. Second, deferral will facilitate the highly-probable construction of a second tower for the hotel. Access by the heavy construction equipment that will be needed for construction of the second tower would be impaired if the porte cochere were in place, resulting in the possibility of damage to the porte cochere or, if the risk of damage is deemed unacceptable, entailing the expense of disassembling, removing and later reinstalling the structure.

Foundations for support of the porte cochere will be installed as part of the current project, so they will be in place to support the porte cochere when it is built in connection with construction of the second hotel tower.

In the meantime, the Tribe may install an attractive, high-quality temporary porte cochere canopy to protect hotel patrons and employees from the elements. The Tribe will consult with Department of City of Development planners regarding the design of such a canopy if and when it is developed.

H. Ventilation Louvers Added.

Ventilation louvers are added at the northeast corner of the podium along former at-grade South 16th Street. This is not a budget-balancing item but is shown here because it did not appear on the original DPD elevations. The louvers are required to accommodate the Hotel's mechanical systems. This adjustment was discussed with the City's Design Review Team staff last year and was approved by them administratively.

IV. THE CRITERIA FOR A MINOR MODIFICATION ARE SATISFIED.

Section 295-907-2-i permits the Common Council, by resolution, to approve modifications to an existing DPD which are consistent with its spirit and intent, provided that the Council makes seven findings. The required findings and a brief discussion of each follow:

- The modifications may not “change the general character of the planned development.”

The project clearly retains its character as a high-quality, luxury hotel. The minor aesthetic changes will not significantly change the architectural and visual character of the project.

- The modifications may not “cause a substantial relocation of principal or accessory structures.”

No relocation of any structure is involved.

- The modifications may not “cause a substantial relocation or reduction of parking, loading or recreation areas.”

No relocation or reduction of such areas is involved.

- The modifications may not “cause a substantial relocation of traffic facilities.”

Traffic facilities are unaffected by the proposed modifications.

- The modifications may not “increase the land coverage of buildings and parking areas.”

No change in land coverage of buildings or parking areas is involved.

- The modifications may not “increase the gross floor area of buildings or the number of dwelling units.”

The proposed modifications involve a relatively small reduction in the gross floor area of the hotel tower. The project contains no dwelling units.

- The modifications may not “reduce the amount of approved open space, landscaping or screening.”

The amount of approved open space, landscaping and screening is unaffected by the proposed modifications.

V. STATISTICAL SHEET UNCHANGED.

Exhibit A to the existing DPD is the statistical sheet required by § 295-907-2-C-1, Milwaukee Code of Ordinances. The proposed modifications will not change any of the information presented on the statistical sheet.