

Exhibit A
File No.211350
2nd Amendment to the DETAILED PLAN OF DEVELOPMENT known as
Concordia Trust Property, Phase 1
For: THE FOREST COUNTY POTAWATOMI COMMUNITY
February 2, 2022

Previous File History

In 2010, the Forest County Potawatomi Community ("FCPC") requested to rezone the former Concordia College Campus, on the north and south sides of West State Street, east of North 33rd Street, to General Planned Development (GPD, File no. 100290) to institute a master plan for the entire campus. The master plan established parameters for future development of the sites, including permitted uses, setbacks, and zones where development, parking, and open spaces, among other items, may occur. The GPD was amended in 2011 as File No. 110445 to allow modifications to the northern part of the campus. Subsequently, the south portion of the campus, 3215 West State Street, was rezoned from GPD to a Detailed Planned Development (DPD – Concordia Trust, Phase 1, File No. 100291) to permit the restoration of the existing historic buildings and the construction of surface parking to accommodate the uses within the buildings. The Phase 1 DPD was amended in 2016 as File No. 160435 to allow construction of a parking structure on the site.

Purpose

- Update plans to reflect demolition of pool building addition and increase in surface parking in its place.
- Approve other site changes such as relocation of a fence and additional landscaping in front of new surface parking area.
- Providing enclosed dumpster locations on site.

Project Summary

FCPC is proposing a 2nd Amendment to the Phase 1 DPD to demolish the former swimming pool addition, built in 1954 /55, that is currently connected to the gym which was built in 1930. The pool was infilled in 1994; however, moisture generated by the pool over the years of use before infill has caused the exterior face brick to spall and crack across the majority of the façade. The masonry on the pool building is in extremely poor condition. The gym will be renovated, and a new entry addition will be constructed on northeast corner to create an accessible entrance to the main floor of the gym. The site will also be modified to create a new loading area, and recycling / garbage collection area for the campus. The dumpster enclosure will be constructed of steel framework with solid wood cedar facing the street. The top will be open to the air, to allow the containers to be lifted by a garbage / recycling truck, so it can be tipped into the bed of the truck. The enclosure shall be approximately 7'-0" tall and have swinging gates. This will also create 17 new surface parking stalls (for a total of 58 spaces in this lot). It is anticipated that pervious pavers will be utilized in the parking stall portions of the expanded parking lot area. Additionally, electric vehicle charging stations may be added. The loading area will be limited to box and garbage trucks. No semis will be allowed on site.

Plan Sheets

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OVERALL DEVELOPMENT CONCEPT

Existing Conditions

The Site for this DPD necessarily includes the entire parcel of the Concordia Trust Property lying south of West State Street, because City zoning ordinances require that zoning district boundaries coincide with parcel boundaries and the Concordia Trust Property south of West State Street is a single parcel.

However, for a variety of reasons not within FCPC's control, current plans for portions of the area of the Site lying southwest of vacated West Kilbourn Avenue are not advanced to the point where a high level of detail can be provided. Putting all development on the Site on hold until market conditions clarify would not be feasible or desirable for FCPC, the City, or the neighborhood. Therefore, this DPD shows what is, in effect, a near-term holding plan for portions of the area southwest of vacated West Kilbourn Avenue. FCPC's general intentions for long-term development of this area are shown in the existing General Planned Development District. An application to amend this DPD, which will contain detailed information on additional improvements to the part of the Site lying southwest of vacated West Kilbourn Avenue, will be filed when appropriate.

The Site consists of that part of the land making up the former Concordia College campus which lies south of West State Street in the near west side of the City of Milwaukee. The site is approximately 8.336 acres and is located in the Concordia Historic District. Used exclusively for institutional purposes, the Site has had no residential use other than college dormitory for decades.

The neighborhood to the east is predominantly single-family homes while the neighborhood to the west is a mix of duplexes and commercial structures. The neighborhood to the south is a mixture of multi-family residences and duplexes. The neighborhood to the north is a mixture of commercial structures and residences.

The FCPC is a federally recognized Indian Tribe. The Wgema Campus was transferred to FCPC immediately, prior to entering Trust Status in 1990. The land is held in trust by the United States of America for the benefit of the FCPC. Beginning in 1990, FCPC leased the entire Wgema Campus, including the Site, to the Indian Community School of Milwaukee, Inc. ("Indian Community School") to provide elementary education to Native American students living in the greater Milwaukee area. The Indian Community School built a new school in Franklin, Wisconsin and ceased operating a school on the Site in summer 2007, although the Indian Council for the Elderly and the tenants in several apartment

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units in a 16-unit building at the corner of West Highland Boulevard and North 33rd Street occupied portions of the Site pursuant to subleases for a time. The Indian Community School's lease ended on July 19, 2010. FCPC now occupies the Site and is in the process of redeveloping it.

FCPC is working to ensure that this non-reservation trust land is used in the most effective and efficient way possible for the Tribe, the neighboring Community, the City, and the State, in addition to providing the intended uses and services stated in the FCPC's application for trust status.

The Site is located in the Historic Concordia Neighborhood and is designated as a Historic District under a City of Milwaukee designation. It is also listed on the National Register of Historic Places. Five buildings are designated as Contributing Structures to the Historic District by the City of Milwaukee and the National Park Service: Albrecht Hall, Rincker Library, Wunder Hall, Gymnasium, and the Refectory. Wunder Hall, now designated Bgemagen Hall, has been rehabilitated. Albrecht Hall and Rincker Library, now designated Wgechda, has been rehabilitated. The Refectory, now designated Wgemas, has also been rehabilitated. These renovated buildings are now occupied, and the redevelopment work also added 43 surface parking stalls and a structured parking garage with an additional 118 stalls.

Prior to rezoning the Site to General and Detailed Planned Development, the zoning was RT2, which is focused on one- and two-family residential use. This zoning never corresponded to actual use of the Site and is an historic oddity of unknown origin. Use of the Concordia Trust Property in a manner consistent with RT2 zoning was impossible, given that the land is Federal Trust land, which cannot be sold to potential homeowners. Rezoning thus was imperative for any redevelopment to occur.

Unfortunately, as many of the existing buildings had fallen into an advanced state of disrepair, renovation of the buildings has required extensive investment just to bring them to a condition where they are able to be occupied. Further expenses required to bring the buildings up to current building code standards and to retrofit them for modern-day use. The former Administration Building for Concordia College was not a contributing building to the historic district, did not fit the needs of the Site, and has been demolished. In addition, the 16-unit building at the corner of West Highland Boulevard has also been demolished.

Proposed Site Renovation:

Four major forces influence redevelopment plans for the Site and cause the need for a Planned Unit Development approach to rezoning:

- Help strengthen and revitalize the neighborhood
- Find viable uses for historic and usable buildings
 - accommodate current and future tenants
 - bring Tribal Government offices on site
 - locate headquarters of the Potawatomi Business Development Corporation (PBDC) on site.
- Maximize opportunities for economic development
- Develop both a short-term and long-term strategy for the Site that provide immediate stability, serve the needs of the FCPC, fit into and complement the neighborhood, and bring jobs and life back to the Site

Wunder Hall, Albrecht Hall, Rincker Library, The Refectory, and the Gymnasium are contributing historic structures, and have been rehabilitated as such. Improvements to the Gymnasium are anticipated to include, but are not limited to, repaired or new mechanical systems, repaired or new roofing, masonry

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pointing, repaired or new window systems and glazing. All improvements will be designed and constructed with the intent to comply with the Secretary of the Interior's Standards for Historic Rehabilitation. At the same time, FCPC also is strongly committed to sustainable and environmentally sensitive design. Design and implementation of the work will be carried out in a fashion which respects and accommodates both objectives.

Tthigwe (Gymnasium/Recreation Center) (proposed project) – Renovation of the Gymnasium to provide ancillary use by Woodlands East School and other Site Tenants. This building will require significant restoration, which will be undertaken with full respect for applicable historic preservation standards. Externally, visual impacts will be minimized. The gymnasium portion of this building is historic, while the recreation center (pool building) portion is newer, and with no historic value. The proposed project is to remove the non-historic recreation center and expand the existing parking lot. As part of this DPD amendment, a total of approximately 17 surface parking spaces will be added to the existing 41-stall lot, for a total of 58 spaces. A loading area with trash and recycling will be developed as shown on sheets DPD.5 and DPD.8 through DPD.10. A new entry lobby with stairs and accessible ramp will be created to allow accessible access to the main gymnasium floor. Additionally, the at-grade level parking will be wrapped by a 4-foot-tall decorative metal fence and brick piers to match the existing landscape amenities of the campus.

Any activities likely to cause significant noise audible beyond property lines will be limited generally to the hours of 7:00 am to 7:00 pm. All new transformers, substations, power driven rotating equipment, and HVAC equipment will be screened, sound proofed and located in such a manner that the noise from this equipment is limited to Noise Rating Numbers of 55 during the day (7 am-9 pm) and 45 during the night (9 pm-7 am), as measured at any existing residential property line adjacent to or across the street from the site.

The FCPC has determined that renovation of existing historic buildings (Albrecht Hall, Wunder Hall, Refectory, Rincker Library, and the Gymnasium) be done in a manner consistent with obtaining a Certificate of Appropriateness (COA) from the City of Milwaukee Historic Preservation commission. To date any work permitted by the City of Milwaukee has received a COA, specifically Wunder Hall, Albrecht Hall, Rincker Library and the Refectory.

Land Use Plan for Near West Side:

The Department of City Development has created the Near West Side Comprehensive Plan (the "Plan") which identifies this parcel as a catalytic project. The Owner's intent carries out portions of the Plan by creating opportunity for commercial and cultural investment bringing vitality and jobs to the neighborhood.

The Plan was adopted by the Common Council of the City of Milwaukee on March 19, 2004. The plan identified eight (8) catalytic projects, which were further described in the Plan as follows:

"Catalytic projects implement key aspects of the plan and spur activity, investment, and redevelopment. Because these projects are expected to produce these effects in the area surrounding the projects as well as in the projects themselves, they are called catalytic." (Near West Side Comprehensive Plan – Page 70)

Redevelopment of the "Indian Community School Property" is identified in the Plan as one of the eight catalytic projects. (Near West Side Comprehensive Plan – Page 84):

Project goal: Redevelopment of the Site

Objectives of the project:

- Obtain compatible reuse of a soon to be unoccupied property
- Attract development that will have a positive impact on the community

Recommendations:

- Work with the Forest County Potawatomi to achieve appropriate redevelopment of the Site after the Indian Community School relocates

This DPD clearly advances the goals of the Near West Side Comprehensive Plan.

Storm Water Management

The quantity and quality of storm water drainage from the Site will be addressed through the use of existing City infrastructure, in compliance with City requirements. The use of "Green Infrastructure", such as pervious pavements, rain gardens, and bio-infiltration basins, will be evaluated for applicability during the site design process. The current plan is to replace the existing porous asphalt pavement with new porous asphalt pavement and extend the existing surface parking lot with the same porous asphalt. There will be no open detention ponds. Previous projects that addressed storm water management include: underground stormwater storage chamber(s) to the West of the new parking structure, prairie restoration planting with stormwater retention areas to the South of Wgechda, Also and permeable pavers along the vacated Kilbourn Ave surface parking. These improvements were completed as part of the Parking Structure and Wgechda projects.

District Standards (s. 295-907):

Uses:	Reference the General Planned Development
Design standards:	
Density (sq. ft. of lot area/dwelling unit):	Not Applicable
Space between structures:	The location of existing structures in the DPD complies with the applicable provisions of 2015 IBC 702.1 as amended by SPS 362.0702, Wisconsin Administrative Code.
Setbacks (approximately):	North: Not Applicable South: Not Applicable East: Not Applicable West: The new parking surface lot will match the existing adjacent existing parking lot that currently complies. The parking lot will be set back approximately 16.5 feet from the west (N. 33rd Street) property line, which is approximately 21 feet east of the public sidewalk.
Screening:	Open spaces that have been or will be improved in this DPD phase are those located in the areas directly around the existing gym building. Open spaces will include facilities for storm water management, pedestrian circulation, including paved paths and seating areas; landscaped and garden areas with walls and fencing; information features such as signs or kiosks; lighting, shielded so as to not cause glare on adjoining streets and residences; and decorative enhancements, such as flagpoles, artwork, or water features. Landscaping and screening in open spaces will be maintained so as not to create a nuisance or hazardous condition. The dumpster enclosure will be constructed of steel framework with solid wood cedar facing the street, screening the containers from street view. All efforts will be made to have trash pick-up occur during reasonable hours. Additionally, gate along 33 rd Street beeps when opening and closing for safety reasons. All efforts will be made to ensure that the volume is not disruptive to adjacent residences.
Open space:	Open spaces that have been or will be improved in this DPD phase are those located in the areas directly around the existing gym building. Open spaces will include facilities for storm water management, pedestrian circulation, including paved paths and seating areas; landscaped and garden areas with walls and fencing; information features such as signs or kiosks; lighting, shielded so as to not cause glare on adjoining streets and residences; and decorative enhancements, such as flagpoles, artwork, or water

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	<p>features. Landscaping and screening in open spaces will be maintained so as not to create a nuisance or hazardous condition.</p>
<p>Circulation, parking and loading:</p>	<p>Pedestrian access: Existing pedestrian access will remain. A new pedestrian access from campus into the loading dock area will be created</p> <p>Automobile access and parking: Existing automobile access will remain the same. New parking adjacent to an existing surface lot will be created.</p> <p>Bicycle parking: Existing bicycle parking is located on the site</p> <p>Loading: The loading dock will be shifted to the South adjacent to the gymnasium building. See Sheet DPD.5</p>
<p>Landscaping:</p>	<p>Proposed Landscaping:</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> <p>The proposed landscape will expand screening of the expanded parking lot area along 33rd street. Plantings will be added at the four corners of the gymnasium building and along the North face of the building and South edge of the expanded parking lot.</p> <p>Currently, much of the Site is surrounded by a chain link security fence that provides perimeter security for the buildings. It is the intention of the FCPC to remove this fence and replace it with decorative fencing as depicted in Exhibit F (except privacy fencing, also depicted on Exhibit F, may be used where required between parking lots and adjacent residences) that provides for the security interests of persons working in or visiting buildings on the Site, and to do it in such a way that the Site will be accessible to the rest of the neighborhood during normal business hours. The decorative fencing will consist of painted metal vertical pickets with brick piers separating the fence sections.</p> <p>Decorative fencing will be added to match adjacent where the previous loading exists. The fence will be set back 19'-6: feet from the property line along 33rd Street.</p>

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<p>Lighting:</p>	<p>New building lighting will conform to the Illuminating Engineering Society Standards and City of Milwaukee Ordinances. All exterior lighting will be shielded so as not to cause glare on adjoining streets, or light escape to nearby residences. Site lighting will be as shown on Exhibit E. Site lighting will be provided for both the West and East pedestrian walks with emergency “blue” light boxes. The pedestrian lighting will be approximately 14’ tall. New lighting at the surface level of the parking will consist of slightly taller and slightly different style LED fixtures, which will provide better control of the light source while illuminating the surface parking area. These fixtures will limit light spillage to the adjacent properties. Several new light poles will be added in the newly created parking area in the landscape islands.</p>
<p>Utilities:</p>	<p>If new transformers and substations if required, will be installed within buildings, or will be otherwise screened from view.</p>
<p>Signs (type, square footage, quantity and placement):</p>	<p>There will be directional monument signs at key locations around the Site. There will be a maximum of 10 primary and secondary directional signs, with a maximum sign area of 24 square feet. These signs may be internally or externally lit and will be used to identify parking lots, materials management, and pedestrian entrances.</p> <p>Freestanding signs: Existing monument signs have been installed at two locations along the south side of West State Street. Two additional signs located within the campus have been installed for Wgemas and Wgechda. They are approximately a 10-foot long by 4-foot-high sign panel (maximum of 40 square feet), two-sided, wood / metal, externally lit.</p> <p>Specific to this amendment, two moment signs for the Tthigwe (Gym Building) will be added at the Northeast and Southeast corners of the building. The signs are approximately a 10-foot long by 4-foot-high sign panel (maximum of 40 square feet), two-sided, wood / metal, externally lit.</p> <p>Building wall signs: None proposed</p> <p>Parking Structure: Per the 1st Amendment to the DPD – Phase 1 relating to the parking structure, there will be signs for directional and other information that may serve other functions such as decorative lighting, flag poles, and displays. There will be a maximum of 6 signs with a maximum height of 12 feet. Depictions of the planned signs are shown in Exhibit D of FN 160435 and will be externally lit.</p> <p>Temporary signs: Intended for construction access only, while the area is under construction.</p>

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	<p>Other signs: n/a</p> <p>Illumination: Signs will be externally lit.</p>
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Site Statistics: *Denotes Update from previous DPD

Gross land area:	Sq. Ft.: 492,613 11.309 ac
Maximum amount of land covered by principal buildings (approx.):	Sq. ft.: 87,375 (previously 116,919) 2.00 ac (previously 2.68) % of site: 17.7 (previously 23.7)
Maximum amount of land devoted to parking, drives and parking structures (approx.):	Sq. ft.: 106,169 (previously 131,136) 2.44 ac (previously 3.01) % of site: 21.6 (previously 26.6)
Minimum amount of land devoted to landscaped open space (approx.):	Sq. ft.: 299,069 (previously 214,524) 6.86 ac (previously 4.93) % of site: 60.7 (previously 43.6)
Max proposed dwelling unit density (lot area per dwelling unit):	Not applicable
Proposed number of buildings:	<p>9 Existing (previously 11)</p> <ul style="list-style-type: none"> Bgemagen Nengos Wgemas Wgechda (Library & Albrecht Hall - now considered one building) Tthigwe (Gymnasium) Data Center Lion House <p>-1 Demolished (previously -3)</p> <ul style="list-style-type: none"> Pool / Recreation Building <p>1 Proposed (previously 2)</p>
Max dwelling units:	Not applicable
Bedrooms per unit:	Not applicable
Parking spaces provided (approx):	<p>Automobile spaces: 157 Surface (previously 236)* <u>118 Structured</u> (previously 84) 275 Total (<u>previous total 320</u>)</p> <p>*The Previous amendment included parking numbers for a surface parking lot owned by FPCP that is outside to the GPD boundary. This updated number reflects the number of parking spaces within the GPD boundary only</p> <p>Ratio per residential unit: not applicable Spaces per 1000 sq ft for non-residential uses: not applicable Bicycle spaces: 18 Note: Number, placement, and type of bicycle parking shall follow the provisions of the zoning code (s. 295-404).</p>

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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 1st Amendment to DPD 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.