

Exhibit A File No. 031239

THIRD AMENDMENT TO THE GENERAL PLAN OF
MILWAUKEE METRO CENTER TO BE KNOWN AS
METRO AUTO PARC

REVISED GENERAL PLAN PROJECT DESCRIPTION
AND OWNER'S STATEMENT OF INTENT (THE "STATEMENT")

Except as specifically provided below, all terms will have the meanings set forth in Milwaukee Code of Ordinances Chapter 295 (the "Zoning Code").

The Milwaukee Metro Center planned development was originally approved by the Common Council of the City of Milwaukee (the "Common Council") on May 14, 1985 (the "Original General Plan") as a general planned development. The Original General Plan provided for the staged deferred development of a 58.2-acre site. The Original General Plan was amended in 1993 (the "First Amended GPD") to reflect changes required by the realignment of access configurations and to include property acquired by the owner since approval of the Original General Plan. The First Amended GPD for Milwaukee Metro Center was amended in 1997 (the "Current GPD") to accommodate significant proposed changes to the surrounding transportation network, including the relocation of Metro Center and an interim ramp from U.S. Highway 45.

The Current GPD provides for a single user new and used automobile dealership on 23.19 acres of land bounded on the south by West Metro Boulevard, on the east by Fond du Lac Freeway, on the north by West Good Hope Road and on the west by U.S. Highways 41 and 45 ("Area B"). Since the approval of the Current GPD, Area B has been divided into three parcels. Three auto dealerships have been or are currently being developed on Area B pursuant to three separate detailed plans.

The Current GPD also provides for a hotel and offices on 40.32 acres of land bounded on the north and west by West Metro Boulevard and bounded on the east by North 107th Street ("Area A"). Area A is legally described on Exhibit A attached to this Statement and is shown on the plat of survey included with this Statement and labeled Plat of Survey I (the "Plat of Survey I"). Cemetery and residential uses are located directly to the south of Area A. A church is located directly to the east of Area A. Area A has remained undeveloped.

A general plan development vicinity map showing Area A (as amended by this Third Amendment) and Area B, the territory within 1,000 feet of Area A, community facilities in the area surrounding Area A and proposed access to Area A is included with this Statement and labeled Vicinity Map (the "Vicinity Map").

August Urbanek Development & Management Limited Partnership (the "Applicant") owns Area A and desires to amend the Current GPD in two respects. The Applicant desires to amend the boundaries of the Current GPD to include four adjacent parcels acquired by the Applicant since the Common Council approved the Current GPD (the "Additional Property"). The Additional Property is depicted on the map attached to this Statement and labeled Additional Property Map. The Applicant also desires to amend the zoning regulations of the Current GPD as they apply to Area A to allow development of Area A as described in this Statement.

The Applicant no longer owns that portion of the Current GPD that is not part of Area A. Accordingly, this Third Amendment does not change the zoning regulations of the Current GPD as they apply to any portion of the Current GPD outside of Area A.

1. SIZE: The Current GPD consists of 63.51 acres. With the addition of the Additional Property, the total area of land contained within the general planned development, as amended by this Third Amendment (the "Proposed GPD Site") is 68.74 acres. Of these 68.74 acres, 5.49 acres are devoted to public rights-of-way. The boundaries of the Proposed GPD Site are legally described on Exhibit B attached to this Statement and are depicted on the plat of survey included with this Statement and labeled Plat of Survey II.

As mentioned above, under the Current GPD, Area A consists of 40.32 acres of land. Under this Third Amendment Area A will contain 43.49 acres. This increase reflects the addition of the Additional Property and the adjacent south half of the Metro Boulevard right-of-way. Under the Current GPD, Area B contains 23.19 acres. Under this Third Amendment, Area B will contain 25.25 acres. This increase reflects the addition of the adjacent north half of the Metro Boulevard right-of-way.

2. PERMITTED USES.

(a) Area B. Pursuant to the Current GPD, the following uses are permitted within Area B:

- (i) General Office;
- (ii) Light Motor Vehicle Sales, Repair and Body Shop;
- (iii) Business Services;
- (iv) Commercial Hotel;
- (v) Community Serving Uses;

- (vi) Medical Office and Health Clinic;
- (vii) Private Non-commercial Club or Lodge; and
- (viii) Research and Development;

In addition, the following uses are permitted provided they are located within a general office or commercial hotel:

- (i) Government Office;
- (ii) Bank or other Financial Institution;
- (iii) Travel Agency;
- (iv) Sit-down Restaurant;
- (v) Personal Service Establishment;
- (vi) Indoor and Outdoor Recreation Facilities, Health Club and Theater; and
- (vii) Tavern;

In addition, the Current GPD permits accessory uses normally associated with any of the above listed permitted uses. Finally, the Current GPD permits Day Care Center uses within Area B.

As mentioned above, Area B has been developed with three separate Light Motor Vehicle Sales Facilities pursuant to three separate detailed plans for Area B.

(b) Area A. The Applicant intends to subdivide Area A to create six separate parcels (individually, a "Parcel") and one outlot (the "Outlot"). The Parcels and the Outlot are identified on the general plan development site plan included with this Statement and labeled Metro Auto Parc Site Plan (the "Site Plan"). The Applicant desires to sell the Parcels within Area A to various end-users and anticipates that the end-users will develop Area A for light motor vehicle sales, rental, repair, body shop and outdoor storage (collectively, the "Light Motor Vehicle Uses"), and sit-down restaurant, general office, bank or other financial institution, medical office or health clinic uses, examples of which are described herein.

A: Generally, the following uses shall be permitted uses at Area

- (i) Light Motor Vehicle Sales;
- (ii) Light Motor Vehicle Rental, Repair, Body Shop and Outdoor Storage provided such uses are accessory to Light Motor Vehicle Sales;
- (iii) Sit-down Restaurant;
- (iv) General Office;
- (v) Bank or Other Financial Institution;
- (vi) Medical Office;
- (vii) Health Clinic; and
- (ix) Accessory Use Parking Lots and other accessory uses normally associated with the above listed permitted uses.

3. BUILDING LOCATION AND SIZE.

(a) Area B. As mentioned above, the Current GPD provides for a single new and used automobile dealership at Area B. Area B is being developed as three separate light motor vehicle sales facilities pursuant to three separate detailed plans.

(b) Area A. Area A will be developed as an integrated commercial development, generally composed of uses that generate low traffic volumes; however, each end-user will develop its respective Parcel to suit its specific use. Accordingly, this Statement describes, and the Site Plan depicts, examples of the possible general locations of proposed structures and their intended use and approximate height. The exact locations and height of proposed structures, open spaces, pedestrian and vehicular circulation systems, refuse collections facilities and lighting facilities will be described in a detailed planned development application for each Parcel submitted prior to development.

Buildings for Light Motor Vehicle Uses will be developed on Parcels 1, 2 and 3 (collectively, the "Motor Vehicle Use Parcels"). Parcels 1 and 2 may be developed with a maximum aggregate building floor area of 90,000 square feet contained in one or two principal buildings. Parcel 3 may be developed with a maximum aggregate building floor area of 60,000 square feet contained in one or two principal buildings. The hours of operation of the Light Motor Vehicle Uses

will be restricted as follows: motor vehicle sales will be restricted to 9:00 a.m. to 9:00 p.m. Monday through Thursday and 9:00 a.m. to 10:00 p.m. Friday and Saturday; motor vehicle rental, repair and body shop services will be restricted to 7:00 a.m. to 7:00 p.m. Monday through Saturday. No vehicle test drives will be permitted on residential streets, including North 107th Street south of Metro Boulevard. No vehicle will be displayed with its hood or trunk lid up or doors open. No vehicle will be displayed on a ramp or moving platform except in specialty display areas. No more than four vehicles will be displayed at the same time in any specialty display area.

Buildings for use as sit-down restaurants will be developed on Parcels 4 and 5 (collectively, the "Restaurant Parcels"). Each of the Restaurant Parcels may be developed with a maximum aggregate building floor area of 7,500 square feet contained in one or two principal buildings.

A single one or two-story building with a maximum floor area of 8,200 square feet for use as a general office, bank or other financial institution, medical office, or health care clinic will be developed on Parcel 6.

A stormwater detention pond currently exists on the Outlot.

4. SPACE BETWEEN STRUCTURES. The minimum spacing between buildings shall be the greater of 25 linear feet or one half the combined height of the two buildings in questions, but in any event, not less than required by the Wisconsin Building Code.

5. SETBACKS. Setbacks shall be at least 25 feet around the perimeter of the Proposed GPD Site. In addition, setbacks of at least 10 feet will be maintained along the common lot lines of the Parcels.

6. SCREENING.

(a) Area B. The uses located on Area B are screened from adjacent uses according to detailed plans approved for Area B.

(b) Area A. A landscape plan for each Parcel, reflective of the design standards set forth in this paragraph 6(b) shall be submitted as part of the detailed plan application for that Parcel, except that a landscape plan of the entire 60 foot buffer area described in paragraph 6(b)(i) below will be submitted concurrent with the first detailed planned development application submitted for either of Parcels 1, 2 or 3. Screening on each Parcel will be installed simultaneously with the completion of development of such Parcel pursuant to a detailed plan and will be continuously maintained.

(i) Adjacent Uses. Trees, shrubs, hedges, berms and combinations thereof will be located throughout Area A to screen Area A from adjacent uses. In addition, a 1,700 feet long, 60 feet deep landscape buffer will be located along the south boundary of Parcels 1, 2 and 3 as shown on the Site Plan. The buffer will include 15 feet of existing vegetation (scrub and sparse trees) and a 45 foot wide, 10 foot tall berm. The berm will be landscaped with over 400 trees and shrubs (the majority of which will be planted), including three rows of evergreens that will range from 6 feet to 8 feet in height when installed and two rows of mixed deciduous trees that will range from 2.5 inch to 3 inch caliper when installed. The rows of trees will be spaced approximately at approximately ten feet. On the portion of the berm located adjacent to residential property, the conifers will be spaced approximately 15 feet apart and the deciduous trees will be spaced approximately 25 feet apart. On the portion of the berm located adjacent to the cemetery, the conifers will be spaced approximately 17 to 20 feet apart and the deciduous trees will be spaced approximately 30 feet apart. There is an existing five foot chain link fence located within five to seven feet north of the south property line of Area A. Any fence installed to replace this existing fence will be vinyl coated or painted black.

(ii) Parking and Auto Display Areas. Parking and auto display areas shall be landscaped in compliance with the Zoning Code standards for Type "A" landscaping (set forth in Exhibit C attached hereto).

7. OPEN SPACES. All permanent open and unpaved areas shall be landscaped with a combination of grass and shrubs. All temporary unpaved areas shall be seeded. All landscaping will be continuously maintained. Landscaping shall be installed simultaneously with the completion of development pursuant to a detailed plan.

8. CIRCULATION. Traffic circulation within and to the Proposed GPD Site shall provide for safe and convenient movement of pedestrians and vehicles, including emergency and municipal vehicles and delivery vehicles. Metro Boulevard is the main public street providing a connection from U.S. Highways 41 and 45 to North 107th Street and thence North to West Good Hope Road. This connection was included by the Wisconsin Department of Transportation ("DOT") in its recommendations for improvements to the transportation system of the area including Metro Center. Non-public roadways, parking and loading areas shall be constructed in conformance with the standards of the American Concrete Institute and/or comparable public street standards.

9. PARKING. No on street parking shall be allowed. Off-street loading facilities shall be located near the uses they support and will be screened and landscaped. Off-street parking spaces shall be designed in accordance with

applicable standards of the Zoning Code. Common parking areas servicing more than one building or use are permitted, except the total number of spaces to serve a particular building shall be located within 500 feet of that building. The minimum number of parking spaces required shall be as follows:

<u>Use</u>	<u>Minimum Ratio</u>
Commercial and Office Uses and Research and Development Uses	One space per 400 feet of gross floor area minimum
Light Motor Vehicle Uses	See Statistical Summary
Sit-down Restaurants and Taverns	One space per 125 square feet of gross floor area.
Commercial Hotel	One space per room plus one space per 400 square feet of net lobby or administrative space
Community-Serving Uses	One space per 300 square feet of gross floor area
Entertainment and Recreation Uses	To be determined in the detailed plan

(a) Area B. Area B has been developed with parking in accordance with detailed plans submitted for Area B.

(b) Area A. Up to 2,320 surface parking spaces will be developed and maintained on Area A for use as customer and employee parking and vehicle display and storage, allocated among the Parcels as shown on the Statistical Sheet attached to this Statement as Exhibit E. The exact number and location of parking spaces will comply with the standards contained in this third Amendment and will be described in a detailed planned development application for each Parcel submitted prior to development.

10. LOADING AND DELIVERIES. Each auto dealer located within Area A will have no more than five vehicle delivery trips per day. Each auto dealer within Area A will prohibit vehicle delivery truck drivers from waiting in any public right of way.

11. LIGHTING. Site lighting will be non-intrusive and focused to the interior of the development.

(a) Area A. Light pole heights in Area A shall not exceed 24 feet. All site illumination on the Motor Vehicle Use Parcels will be dimmed to

low intensity level at 10:00 p.m. Site lighting on Area A shall have cut-off fixtures that ensure that lighting levels and glare are controlled as follows:

(i) No light source shall be visible from an adjoining property or public right-of-way; and

(ii) Where adjoining properties are zoned residential, the maximum illumination at the property line shall be one foot-candle; in all other circumstances, the maximum illumination at a property line shall be five foot-candles.

(b) Area B. Site lighting on Area B has been installed in accordance with detailed plans submitted for Area B.

12. UTILITIES. All utility lines shall be installed underground. Transformers and substations may be exterior installed, but will be screened from view.

13. SIGNS. Specific signage pursuant to the following standards will be contained in detailed plans, which will show specific signs and locations.

(a) Off-premise Signs. An amendment to the Current GPD to permit an off-premise sign at Area B was submitted by an owner of property within Area B and was introduced to the Common Council on February 10, 2004 as File No. 031448.

(b) On-premise Freestanding Signs.

(i) Area B. The Current GPD permits one pylon sign not exceeding 40 feet in height with not more than 250 square feet of display area and one ground sign not exceeding 15 feet in height with not more than 150 square feet of display area at Area B. The Current GPD permits a third freestanding sign, which must be a monument sign not exceeding 8 feet in height with not more than 60 square feet of display area located near the entrance to Area B. Free-standing signage has been or is being located on Area B pursuant to three approved detailed plans.

(ii) Area A. One freestanding sign may be located on each Parcel to advertise the use of such Parcel. Each freestanding sign may be 18 feet in height. The maximum display area of any freestanding sign shall not exceed 100 square feet if a "Type A Freestanding Sign" (as defined in Exhibit D attached

hereto), or 50 square feet if a "Type B Freestanding Sign" (as defined in Exhibit D attached hereto).

(c) On-premise Building Signs. Illuminated and non-illuminated wall signs and projecting signs identifying commercial buildings, may be used at Area A and Area B.

(i) Area B. Pursuant to the Current GPD, no wall sign located on Area B shall exceed 235 square feet. Wall signage has been or is being located on Area B pursuant to three detailed plans.

(ii) Area A. Wall signs and projecting signs may be used to advertise the uses located within Area A. One wall sign or projecting sign per each twenty-five lineal feet of building façade may be located on each building. The maximum display area of any wall sign may not exceed 90 square feet if a "Type A Wall Sign" (as defined in Exhibit D attached hereto) or 32 square feet if a "Type B Wall Sign" (as defined in Exhibit D attached hereto) except that the square footage allocation for two adjoining 25 foot building façade segments may be combined to allow a sign larger than the maximum amount specified.

(d) Other Advertising Devices. Except during grand opening events, no balloons, pennants, flags, streamers, spinners, tinsels or other similar advertising devices shall be used on Area A.

(e) Construction Signs. Non-illuminated signs of up to 36 square feet each and advertising construction may be located at Area A and Area B provided that such signs are removed upon completion of the advertised construction.

(f) Traffic Control Signs. Signs directing vehicular and pedestrian traffic, which may be illuminated, may be located on Area A and Area B. These signs shall conform to the requirements of the Zoning Code and the Manual on Uniform Traffic Control Devices, as applicable.

14. IMPROVEMENTS TO TRANSPORTATION SYSTEM. The Current GPD required the completion of certain public improvements to permit reasonable access to Metro Center. The following transportation system improvements have been completed:

(a) Construction of an off ramp from northbound U.S. Highways 41 and 45 to Metro Center.

(b) Construction of a portion of West Metro Boulevard on the alignment recommended in the Wisconsin DOT U.S. Highway 45/Good Hope Road Interchange Study, with a temporary connection from West Metro Boulevard to the intersection of West Fond du Lac Avenue and North 107th Street.

(c) Construction of separate exclusive left turn lanes on the eastbound and southbound approaches to the intersection of West Fond du Lac Avenue and North 107th Street.

(d) Installation of a traffic signal at the intersection of West Fond du Lac Avenue and North 107th Street.

(e) Construction of an additional separate left turn lane on the northbound approach to the West Good Hope Road and North 107th Street intersection, and an eastbound supplemental right turn lane at that intersection.

The following improvements were required by the Current GPD to permit the full build-out of hotel and office uses on Area A and have not been completed; however, the development of Area A pursuant to this Third Amendment is less intense than the hotel and office uses contemplated under the Current GPD and does not necessitate the second phase of transportation infrastructure improvements.

(a) Reconstruction and potential realignment of the West Fond du Lac Avenue and North 107th Street intersection including an eastbound double left turn lane on North 107th Street, a supplemental westbound right turn lane, and a separate southbound left turn lane.

(b) Widening North 107th Street to a minimum width of two continuous through travel lanes in each direction of travel on North 107th Street from West Fond du Lac Avenue to West Good Hope Road.

(c) Construction of geometric improvements at the intersection of West Good Hope Road and North 107th Street consisting of dual left turn lanes northbound and southbound on North 107th Street, a supplemental right turn lane on northbound North 107th Street, and widening westbound West Good Hope Road to provide three continuous travel lanes with a supplemental right turn lane to northbound North 107th Street.

(d) Widen West Good Hope Road west of North 107th Street to provide lane continuity and minimize potential for weaving problems.

EXHIBIT A

Legal Description of Area A

PARCEL 2 OF CERTIFIED SURVEY MAP NO. 6374, PARCELS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 7026, AND LANDS IN THE NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 8 NORTH, RANGE 21 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 SECTION; THENCE SOUTH 00°49'45" EAST ALONG THE WEST LINE OF SAID 1/4 SECTION 1122.01 FEET TO A POINT; THENCE NORTH 82°01'15" EAST 226.76 FEET TO A POINT ON THE EAST LINE OF U.S. HIGHWAY 41 AND 45; THENCE SOUTH 00°49'45" EAST 276.70 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 86°55'31" EAST 1368.95 FEET TO A POINT; THENCE NORTHEASTERLY 446.93 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE NORTHWEST WHOSE RADIUS IS 700.00 FEET AND WHOSE CHORD BEARS NORTH 68°38'03.5" EAST 439.38 FEET TO A POINT; THENCE SOUTH 45°11'45" EAST 171.80 FEET TO A POINT; THENCE SOUTHEASTERLY 296.91 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTHWEST WHOSE RADIUS IS 494.16 FEET WHOSE CHORD BEARS SOUTH 62°28'12" EAST 292.46 FEET TO A POINT; THENCE SOUTH 45°15'29" EAST 49.65 FEET TO A POINT; THENCE SOUTH 43°15'15" WEST 375.98 FEET TO A POINT; THENCE SOUTH 00°53'19" EAST 155.31 FEET TO A POINT; THENCE NORTH 87°10'09" EAST 496.40 FEET TO A POINT ON THE CENTERLINE OF NORTH 107TH STREET; THENCE SOUTH 00°53'19" EAST ALONG SAID CENTERLINE 267.99 FEET TO A POINT; THENCE SOUTH 87°10'09" WEST 1893.19 FEET TO A POINT; THENCE SOUTH 00°49'45" EAST 28.73 FEET TO A POINT; THENCE SOUTH 87°10'09" WEST 564.89 FEET TO A POINT; THENCE NORTH 00°49'45" WEST 366.21 FEET TO A POINT; THENCE NORTH 12°45'03" EAST 199.02 FEET TO A POINT; THENCE NORTH 05°36'21" WEST 200.92 FEET TO A POINT; THENCE NORTH 00°49'45" WEST 120.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 43.4902 ACRES TOTAL AND 40.1151 ACRES NET.

EXHIBIT B

Legal Description of General Planned Development

LOT 1, METRO AUTO PARK, LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 7179, PARCEL 2 OF CERTIFIED SURVEY MAP NO. 6374, PARCELS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 7026, AND LANDS IN THE NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 8 NORTH, RANGE 21 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 SECTION; THENCE SOUTH 00°49'45" EAST ALONG THE WEST LINE OF SAID 1/4 SECTION 1122.01 FEET TO A POINT; THENCE NORTH 82°01'15" EAST 226.76 FEET TO A POINT ON THE EAST LINE OF U.S. HIGHWAY 41 AND 45 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 09°27'15" EAST 100.00 FEET TO A POINT; THENCE SOUTH 80°32'45" EAST 40.00 FEET TO A POINT; THENCE NORTH 09°27'15" EAST 100.00 FEET TO A POINT; THENCE NORTH 80°32'45" WEST 40.00 FEET TO A POINT; THENCE NORTH 09°27'15" EAST 80.00 FEET TO A POINT; THENCE NORTH 31°43'43" EAST 225.30 FEET TO A POINT; THENCE NORTH 77°49'15" EAST 598.61 FEET TO A POINT; THENCE SOUTH 88°34'45" EAST 151.76 FEET TO A POINT; THENCE SOUTH 57°13'19" EAST 815.02 FEET TO A POINT; THENCE SOUTH 45°11'45" EAST 444.66 FEET TO A POINT; THENCE SOUTHEASTERLY 296.91 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTHWEST WHOSE RADIUS IS 494.16 FEET WHOSE CHORD BEARS SOUTH 62°28'12" EAST 292.46 FEET TO A POINT; THENCE SOUTH 45°15'29" EAST 49.65 FEET TO A POINT; THENCE SOUTH 43°15'15" WEST 375.98 FEET TO A POINT; THENCE SOUTH 00°53'19" EAST 155.31 FEET TO A POINT; THENCE NORTH 87°10'09" EAST 496.40 FEET TO A POINT ON THE CENTERLINE OF NORTH 107TH STREET; THENCE SOUTH 00°53'19" EAST ALONG SAID CENTERLINE 267.99 FEET TO A POINT; THENCE SOUTH 87°10'09" WEST 1893.19 FEET TO A POINT; THENCE SOUTH 00°49'45" EAST 28.73 FEET TO A POINT; THENCE SOUTH 87°10'09" WEST 564.89 FEET TO A POINT; THENCE NORTH 00°49'45" WEST 366.21 FEET TO A POINT; THENCE NORTH 12°45'03" EAST 199.02 FEET TO A POINT; THENCE NORTH 05°36'21" WEST 200.92 FEET TO A POINT; THENCE NORTH 00°49'45" WEST 396.86 FEET TO THE POINT OF BEGINNING.
CONTAINING 68.741 ACRES.

EXHIBIT C

Landscaping Standards

A. PERIMETER LANDSCAPING AND EDGE TREATMENTS

1. Type of Landscape Treatment. All landscaped perimeters shall have trees planted 25 feet on center, either base shrubs or a low wall, and curbing to prevent landscaping from encroaching on public sidewalks. Variations in required landscaping and edge treatments occur because some situations require a more substantial edge, such as a masonry element or ornamental metal fencing, and because some situations call for eye-level surveillance through the perimeter area, while others dictate that the view of what is behind the perimeter should be obscured. Type "A" landscaping is primarily intended for application along street frontages of light motor vehicle parking lots. It requires regularly-spaced trees and continuous base shrubs, but not fences or walls. Fences are allowed, but not required. Plantings in the low-level and high-level zones shall create a continuous edge of plants. However, the eye-level zone shall be kept mostly open, consistent with the standards of paragraph 2.E. below, to allow for surveillance between parking lots and streets.

2. Requirements. Table A below contains the fence/wall and landscaping requirements. Prior to issuance of any permit for a use for which perimeter landscaping and edge treatments are required by this chapter, a landscaping and screening plan with specifications and an installation schedule shall be submitted to the commissioner for approval. When interpreting the requirements of Table A, the following standards shall apply:

a. Trees. Where required, trees shall be at least 2.5-inch-caliper size at the time of planting and of a deciduous street tree variety, including but not limited maple, linden and ash, that has a leaf and branch structure that creates a uniform crown and an opaque tree canopy. If ornamental trees are used, they shall be spaced not more than 20 feet apart and the landscaped area must measure at least 10 feet in width. If an ornamental tree projects over a public sidewalk, such projection shall be at least 7 feet above grade.

b. Shrubs. Required shrubs may be either deciduous or coniferous, but shall meet the size requirements of Table A.

c. Landscaped Area. All required plantings shall be located within a landscaped area that meets the minimum width requirement of Table A and abuts the street property line of the property for which the landscaping is required. Where the landscaped area abuts a public sidewalk, a curb shall be provided or the landscaped area shall be recessed to prevent the depositing of soil, wood chips and other landscaping materials on the sidewalk.

d. Residential Buffers. A parking lot or structure which is within 25 feet of a wholly residential use shall be screened with an opaque wall or fence at least 6 feet in height erected and maintained between the parking area and the lot line separating the residential use from the parking area. If any adjoining building or fence meeting these height and opacity standards is on or substantially on the common property line, no wall or fence need be erected adjacent to the building or fence. If a residential fence is within 3 feet of the required fence or wall, the required height may be reduced to 3.5 feet. If there is an elevation difference between the parking area and the adjacent residential use, the height of the required fence shall be measured from the point of the higher elevation. Where the required fence or wall abuts a residential front yard, the height of the fence or wall shall be reduced to 3.5 feet. In no case shall a fence or wall be less than 3.5 feet in height. Where the parking area abuts an alley, no fence or wall shall be required.

e. Fence or Wall. Where a masonry wall, a fence with decorative metal pickets or a combination masonry wall/fence with decorative metal pickets is required, such wall or fence shall be provided throughout the length of the landscaped area. Masonry piers shall be spaced not more than 25 feet apart and shall also be provided on corners and at changes in fence direction. Piers shall be at least 16 inches wide and 16 inches deep, and shall have a minimum height of 3 feet and a maximum height of not more than one foot above the fence or wall. A decorative metal fence shall have an opacity not exceeding 50%, with fence pickets at least 0.75 inches wide and spaced no farther apart than an average of 5 inches on center. Masonry materials shall, in terms of color, texture and material type, be similar to or compatible with the materials used on the building located on the premises for which landscaping is required. If such building is not of masonry construction, the piers may be omitted or constructed of non-masonry material.

f. Berms. Berms shall not be considered a substitute for the landscaping and perimeter features required under this subsection.

g. Additional Plantings. Additional plantings are permitted and encouraged.

h. Encroachment into Public Right-of-Way. The required landscaped area may encroach into the public right-of-way if a masonry-pier-and-metal fence or a masonry wall conforming with the standards of paragraph 2.E. is provided. Such fence or wall shall be located on the non-public portion of the landscaped area. No tree or shrub shall be planted in the public right-of-way unless such planting is authorized by a permit issued by the commissioner of public works pursuant to section 116-52 of the City of Milwaukee Code of Ordinances.

i. Maintenance. Required landscaping and perimeter features shall be kept free of refuse and debris. All plant materials shall be maintained on an ongoing basis, including seasonal tree and plant replacement. Established trees shall not be removed and replaced with trees of smaller caliper, even if those trees meet the standards of this subsection.

TABLE A FENCE/WALL AND LANDSCAPING REQUIREMENTS		
		Type A Landscaping
Required Fence/ Wall	Fence or wall required?	Optional
	Fence/wall height requirements	Fence optional; see below
	Fence/wall materials required	Fence not required
	Fence/wall opacity	Fence not required
	Fence/wall location in landscaped area	If provided, adjacent to parking
Allowable Fence/ Wall	Masonry wall	Up to 4 ft. high
	Decorative metal fence	Up to 6 ft. high
	Wood fence, open	Up to 4 ft. high
	Wood fence, opaque	Up to 4 ft. high
	Chain link fence (coated wire only, except that existing fence described in paragraph 6(b)(i) can remain uncoated)	Up to 6 ft. high

TABLE A FENCE/WALL AND LANDSCAPING REQUIREMENTS		
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		Type A Landscaping
Trees and Shrubs Required & Allowed	Minimum landscaped area width	5 ft.
	Deciduous street-type trees	Minimum 1 every 25 ft.
	Ornamental tree option	Minimum 1 every 20 ft. if landscaped area is at least 10 ft. wide
	Shrub spacing requirement	2 staggered rows with plants a max. of 4 ft. on center in each row; if a 4-ft. opaque fence is provided only one row shall be planted, max. 3ft.
	Shrub size, min. (at time of planting)	2 ft. in diameter
	Shrub height, min. (at time of planting)	2 ft.
	Shrub height, max. (at maturity)	3.5 ft.

B. INTERIOR PARKING LOT LANDSCAPING

No interior parking lot landscaping shall be required for a parking lot having an area of less than 9,000 square feet. For a parking lot that is 9,000 square feet or more in area, one tree shall be provided for every 9,000 square feet of parking lot area or fraction thereof. Trees shall be at least 2.5-inch-caliper size at the time of planting and of a deciduous street tree variety, including but not limited to maple, linden and ash, that has a leaf and branch structure which creates a uniform crown and an opaque tree canopy. Required trees shall be evenly distributed throughout the parking lot; no parking space shall be located more than 54 feet from the base of a required tree.

C. VISION TRIANGLE

1. General. A vision triangle shall be provided at each intersection of 2 streets, an alley and a street, or an access drive and a street.

2. Description. A vision triangle is the triangular area formed by connecting the point of intersection of the curbs at the intersection of 2 streets, or the point of intersection of the alley or driveway line with the side of sidewalk closest to the property line, with 2 other points each located an equal distance away from the point of intersection along the 2 lines that intersect. Where sidewalks are not present, the point of

intersection shall be 4 feet streetside of the property line, along the alley or driveway line extended.

3. Required Vision Triangles. The measured distance along the intersecting lines, as specified in paragraph 2, shall be 10 feet for the intersection of an access drive and a street.

4. Objects Within Vision Triangle. Opaque fences and other opaque objects, such as but not limited to coniferous trees and shrubs and utility boxes, located in the vision triangle shall not exceed 3 feet in height. Semi-opaque and open fences and other semi-opaque objects, such as but not limited to deciduous trees and shrubs, sign and utility poles, traffic standards, and masonry fence piers not exceeding 16 inches in width, shall be permitted.

EXHIBIT D

Sign Standard Definitions

For the purposes of this Statement, a "Type A Freestanding Sign" shall mean a sign characterized by a continuous sign base that extends from grade to the display area and is at least as wide as the display area of the sign. Only individual letters or symbols may be internally illuminated on Type A Freestanding Signs. Type A Freestanding Signs include, but are not limited, to letters or symbols cut from an opaque panel such as metal, pin-set letters where individual letters may be back-lit, carved entablature-type signs and other general individual-letter, non-illuminated signs. Type A Freestanding Signs are commonly referred to as "monument signs."

For the purposes of this Statement, a "Type B Freestanding Sign" shall mean a sign with a display area that has a background that is designed as an integral part of the sign. A Type B Freestanding Sign is typically a plastic-panel-faced box sign. Other types of freestanding signs which do not have the characteristics of a Type A Freestanding Sign are included in this category. Type B Freestanding Signs may be mounted on one or multiple poles or may have monument-type bases.

For the purposes of this Statement, a "Type A Wall Sign" shall mean a sign with a display area that does not have a background that is designed as an integral part of the sign. Only individual letters or symbols may be internally illuminated on Type A Wall Signs. Type A Wall Signs include, but are not limited to, individual raised letters attached to the wall, letters or symbols cut from an opaque panel such as metal, pin-set letters where individual letters are back-lit, non-illuminated pin-set letters, carved entablature-type signs, and other general individual-letter, non-illuminated signs. Type A Wall Signs shall be attached only to flat, opaque wall surfaces.

For the purposes of this Statement, a "Type B Wall Sign" shall mean a sign with a display area that has a background that is designed as an integral part of the sign. A Type B Wall Sign is typically a plastic-panel-faced box sign. A permanent banner sign with a display area that is parallel to the building façade is also a Type B Wall Sign. Other types of wall signs which do not have the characteristics of a Type A Wall Sign, including but not limited to board signs and painted-on wall signs, are included in this category. Type B Wall Signs shall be attached only to flat, opaque wall surfaces.

For the purposes of this Statement, a "Type A Projecting Sign" shall mean a sign with a display area that does not have a background that is designed as an integral part of the sign, except that a non-illuminated wood or metal board-type sign or a permanent banner sign shall be considered a Type A Projecting Sign. Only individual letters or symbols may be internally illuminated on Type A Projecting Signs. Type A Projecting Signs include, but are not limited to, letters or symbols cut from an opaque panel such as metal, pin-set letters where individual letters are back lit, and non-illuminated pin-set letters. If individual letters are used on a Type A Projecting Sign, they shall be applied to or affixed to a projecting board or to a cabinet not more than 12 inches thick in order for the sign to be considered a Type A Projecting Sign.

For the purposes of this Statement, a "Type B Projecting Sign" shall mean a sign with a display area that has an illuminated overall background. A Type B Projecting Sign is typically a plastic-panel-faced box sign. Other types of projecting signs which do not have the characteristics of a Type A Projecting Sign are included in the Type B Projecting Sign category.

Revised 1/13/04

EXHIBIT E
 STATISTICAL SHEET
 METRO AUTO PARC

THIRD AMENDMENT TO GENERAL PLANNED DEVELOPMENT
AMENDED GPD STATISTICS

STATISTICAL COMPARISONS	AMENDED GPD			AREA A 63.27% of Amended GPD			AREA B 36.74% of Amended GPD		
	SQ. FT	ACRES	% OF TOTAL	SQ. FT	ACRES	% OF TOTAL	SQ. FT	ACRES	% OF TOTAL
Gross Land Area	----	68.74	----	----	43.49	----	----	25.25	----
Land on Site Devoted to Public Rights-of-way	----	5.49	----	----	3.44	7.89	----	2.06	----
Maximum Amount of Land on Site Covered by Principal Buildings	366,324	8.41	12.33	263,000	6.04	13.9	103,324	2.37	9.39
Maximum Amount of Land on Site Devoted to Parking and Drives	1,592,376	36.56	53.19	1,037,516	23.82	54.69	554,860	12.74	50.44
Minimum Amount of Land on Site Devoted to Open Space	794,705	18.24	26.53	442,735	10.16	23.32	351,970	8.08	32.00

AREA A STATISTICAL BREAKDOWN

SUMMARY INFORMATION		PARCEL 1	PARCEL 2	PARCEL 3	PARCEL 4	PARCEL 5	OUTLOT	PARCEL 6	TOTAL SITE
Number of Buildings		1-2	1-2	1-2	1-2	1-2	0	1	6 to 9
Parking Spaces		830	600	560	125	125	0	80	2,320
Maximum Parking Ratio (Spaces Per 1,000 Sq. Ft. of Building Area)		32	24	22	16.7	16.7	0	5	----

STATISTICAL COMPARISONS (EACH PARCEL)	Parcel 1 (sq. ft) (acres) (% of Parcel)	Parcel 2 (sq. ft) (acres) (% of Parcel)	Parcel 3 (sq. ft) (acres) (% of Parcel)	Parcel 4 (sq. ft) (acres) (% of Parcel)	Parcel 5 (sq. ft) (acres) (% of Parcel)	Parcel 6 (sq. ft) (acres) (% of Parcel)	Outlot (sq. ft) (acres) (% of Parcel)
Gross Land Area of Parcel	(564,489) (12.9589) (100%)	(435,600) (10) (100%)	(367,868) (8.4451) (100%)	(87,120) (2) (100%)	(108,900) (25) (100%)	(54,940) (1.2613) (100%)	(128,493) (2.9498) (100%)
Maximum Amount of Land Covered by Principal Buildings	(90,000) (2.1) (16%)	(90,000) (2.1) (21%)	(60,000) (1.4) (16%)	(7,500) (0.17) (8%)	(7,500) (0.17) (7%)	(8,200) (0.19) (15%)	(0) (0) (0)
Maximum Amount of Land Devoted to Parking and Drives	(365,904) (8.4) (64%)	(265,716) (6.1) (61%)	(243,936) (5.6%) (67%)	(57,935) (1.33) (67%)	(68,825) (1.58) (68%)	(35,200) (0.81) (64%)	(0) (0) (0)
Minimum Amount of Land Devoted to Open Space	(108,900) (2.5) (20%)	(78,408) (1.8) (18%)	(58,434) (1.4) (17%)	(25,000) (0.5) (25%)	(32,000) (0.75) (25%)	(11,500) (0.269) (21%)	(128,493) (2.9498) (100%)

AREA B STATISTICAL BREAKDOWN

SUMMARY INFORMATION	AS APPROVED IN CURRENT GPD	AS DEVELOPED PURSUANT TO APPROVED DETAILED PLANS
Number of Buildings	1	3
Parking Spaces	1,386	Unknown
Maximum Amount of Land Covered by Principal Buildings	103,324 sq. ft./2,3720 acres/10.2% of Area B	Unknown
Maximum Amount of Land Devoted to Parking and Drives	554,860 sq. ft./12.7378 acres/54.9% of Area B	Unknown
Minimum Amount of Land Devoted to Open Space	351,970 sq. ft./8.0801 acres/34.8% of Area B	Unknown
Maximum Building Floor Area	120,000 sq. ft. if Motor Vehicle Uses; 450,000 sq. ft. if Office or Research and Development	Unknown
Maximum Number of Stories	2	Unknown
Maximum Height	30 feet	Unknown