

## TIMMERMAN PLAZA

### DETAILED PLAN PROJECT DESCRIPTION AND OWNER'S STATEMENT OF INTENT (THE "STATEMENT")

Gatlin Development Co., Inc. ("Gatlin") is the owner of significant portions of the Timmerman Plaza Shopping Center, including the vacated former JC Penney anchor store, in the 5<sup>th</sup> Aldermanic District of the City of Milwaukee, Wisconsin. Gatlin's parcels include: (i) 10202 West Silver Spring Drive; (ii) 10316 West Silver Spring Drive; (iii) 10426 West Silver Spring Drive; and (iv) 10223 West Appleton Avenue, and have a combined gross land area of approximately 24.27 acres, as legally described in the attached Exhibit A (collectively, the "Site"). On February 8, 2011, the Common Council of the City of Milwaukee, by a vote of 12-0, adopted a general planned development ("GPD") rezoning ordinance, File No. 101101, to rezone the Site to GPD.

Consistent with City Code § 295-907-2, Gatlin proposes to begin the second phase in the City's planned development process: approval of a detailed planned development for the Site ("DPD"). Specifically, Gatlin intends to (a) tear down the vacated JC Penney building, (b) build a new approximately 147,806 square foot retail building, (c) redesign, rebuild and landscape parking areas, and (d) retain and redevelop several existing retail tenant spaces on the Site. Gatlin seeks approval of DPD plans for the entire Site at this time as construction of all components of the Site will proceed in relatively short order.

1. Uses. Uses at the Site will be consistent with the permitted uses under the GPD rezoning ordinance. Among those uses, the approximately 147,806 square foot general retail establishment was approved. That store may include, but is not limited to, a general retail establishment providing retail sale of products, a grocery store, a liquor store (subject to issuance of necessary alcohol beverage licenses), a drug store, a butcher shop, a delicatessen, a portrait studio, a furniture or appliance retail establishment, video rental or sales business, and other ancillary and/or accessory uses such as financial services, medical services, etc. The following permitted uses are contemplated to be continued or implemented at the existing retail tenant spaces to be retained and/or redeveloped on the Site:

- banks or other financial institutions;
- general retail establishments;
- garden supply or landscaping centers;
- personal services;
- business services;
- dry cleaning establishments;

- motor vehicle repair facilities, provided however (i) all motor vehicles must be stored overnight outside of public view, (ii) all outdoor storage of auto parts, tires, or nuisance vehicles is prohibited, and (iii) all repair work must be conducted within a building;
- sit down/fast food/carryout restaurants;
- drive-through facilities;
- indoor recreation facilities; and
- related ancillary and accessory uses.

Unless authorized by subsequent amendment or minor modification, hours of operation shall be restricted to between 6 a.m. to midnight, except that 24 hour retail sales are authorized on the day after Thanksgiving (Black Friday) each year.

2. Design Standards. The proposed design standards and elements for the Site are consistent with the GPD rezoning ordinance in place for the Site and are reflected in the plans and elevations submitted with this Statement.

In addition, the new anchor building replacing the existing vacant JC Penney building will incorporate sustainable features such as: a daylight harvesting system, occupancy sensors in non-sales areas, energy saving light emitting diodes (LEDs) in signs and refrigerated food cases, a centralized energy management system, a "white" membrane roof and recycling of metals, woods, floor and ceiling tiles, concretes, asphalt and other materials generated during demolition and construction.

3. Density. The 173,318 square foot vacant JC Penney building will be replaced by an approximately 147,806 square foot new anchor building, resulting in a reduction in overall building square footage at the Site.

4. Space Between Structures. Spaces between structures are depicted on the Site Plan included with this Statement. In no event shall spaces between structures be less than that required by applicable provisions of the City's current building code.

5. Setbacks. Setbacks are depicted on the Site Plan, and setback areas will be landscaped consistent with the Landscape Plan included with this Statement.

6. Screening. As depicted on the Site Plan and Landscape Plan included with this Statement, a greenspace buffer will be maintained along the perimeter of the Site. In addition, the loading area for the new anchor building will be screened from the north by landscaped areas and a stormwater management pond.

7. Open Spaces. As described above, the overall decrease in the Site's density will provide greater open space. Open space areas other than drive aisles and parking areas will be landscaped consistent with the Landscape Plan included with this Statement.

8. Circulation, Parking and Loading. Vehicular and pedestrian access will be provided to and from the Site primarily off of West Silver Spring Drive. Truck traffic will be encouraged to access the Site from West Appleton Avenue. In addition, the Site will be improved with direct access to and from the Oak Leaf Trail bike path on the Site's western boundary. Bike racks will be located near the entrance of the new anchor building.

At least 3.0 parking spaces per 1,000 building square feet, but not more than 5.0 parking spaces per 1,000 building square feet, shall be maintained at the Site consistent with the Site Plan. Shared parking areas shall be encouraged. Each retail space of 10,000 square feet or greater shall be serviced by at least one loading space. All loading activities will occur on-Site outside of public rights of way.

9. Landscaping. As generally depicted on the Site Plan and Landscape Plan included with this Statement, the proposed redevelopment of the Site includes landscaped setback areas and the addition of approximately 40,000 square feet of landscaping within the parking areas. The Landscape Plan for the Site generally depicts the location, number, size and type of proposed plantings. Landscaped areas for the entire Site will increase by approximately 2.5 acres. All proposed vegetation will be of a quality consistent with the standards of the American Association of Nurserymen and will be maintained on an on-going basis. To the extent possible, the following landscape standards shall be addressed:

- Maintain at least a 5 foot wide perimeter landscape strip around edges of the entire shopping center, except to the extent the boundaries of the Site traverse through existing parking lots or perimeter landscaping would obstruct safe traffic circulation.
- Articulate main drive aisles with landscaped curbed islands.
- Incorporate interior landscaped curbed islands, including deciduous trees, into surface parking lots.

It bears noting that Gatlin is not authorized to upgrade areas in the parking lot delineated "Pick N Save Easement Area" on the attached Site Plan without Pick N Save's approval. At this point, Pick N Save has not approved of any parking lot upgrades in their easement area.

10. Lighting. Lighting at the Site will comply with applicable City codes and ordinances. All lighting shall minimize glare onto adjoining properties and shall not be intermittent. Light poles within parking areas may not exceed 30 feet in height, plus the base on which the light poles will rest. Lower height pedestrian lighting shall be encouraged along pedestrian walkways.

11. Utilities. All new utility lines shall be installed underground. Transformers and substations shall be installed within buildings or otherwise screened from view. A Site Utility Plan is included with this Statement.

12. Signs and Sign Illumination. All signage at the Site will be consistent with the Elevations included with this Statement. Existing signs, including existing pylon signs, may remain in place, but pylon signs shall be converted to monument signs when redeveloped. New freestanding monument signs (including the proposed monument sign included with this Statement) may be located at main vehicular entrances to the Site. Panels on freestanding signs may be divided to accommodate end users. New off-premises freestanding monument signs replacing existing off-premises pylon signs may retain the location and setback from the street lot line of the existing off-premises pylon sign they replace. Building wall signs shall be Type "A" Wall Signs, consistent with Code Section 295-407-1(b-2). Up to 60 square feet of wall sign area shall be permitted for every 25 feet of lineal building foot. Additional directional and way-finding signage may be permitted as recommended by City staff.

Minor modifications may occur to the plans included with this Statement.

## EXHIBIT A

### Legal Description

A DIVISION OF CSM 3763, CSM 5534, CSM 3128 AND CSM 4065 BEING A PART OF THE SW ¼, SE ¼, NW ¼ AND THE NE ¼ OF THE SW ¼ OF SECTION 29, T 8 N, R 21 E, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SW ¼ OF SAID SECTION 29; THENCE NORTH 88°09'00" EAST ALONG THE SOUTH LINE OF SAID ¼ SECTION 798.28 FEET TO A POINT; THENCE NORTH 01°51'00" WEST 60.00 FEET TO A POINT ON THE NORTH LINE OF WEST SILVER SPRING DRIVE AND THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUING NORTH 01°51'00" WEST 215.00 FEET TO A POINT; THENCE NORTH 58°08'50" WEST 297.88 FEET TO A POINT; THENCE SOUTHWESTERLY 63.30 FEET ALONG THE ARC OF A CURVE WHOSE CENTER IS TO THE NORTH, WHOSE RADIUS IS 50.00 FEET AND WHOSE CHORD BEARS SOUTH 85°34'57" WEST 59.16 FEET TO A POINT; THENCE NORTH 58°08'50" WEST 90.00 FEET TO A POINT; THENCE NORTH 31°51'10" EAST 1039.85 FEET TO A POINT ON THE SOUTHERLY LINE OF THE CHICAGO, NORTHWESTERN TRANSPORTATION COMPANY RAILROAD RIGHT OF WAY; THENCE NORTH 75°36'00" EAST ALONG SAID RAILROAD RIGHT OF WAY LINE 377.32 FEET TO A POINT; THENCE SOUTH 45°33'30" EAST 350.12 FEET TO A POINT; THENCE SOUTH 44°26'30" WEST 157.12 FEET TO A POINT; THENCE SOUTH 31°55'42" EAST 639.05 FEET TO A POINT; THENCE SOUTH 88° 09'00" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID ¼ SECTION 352.13 FEET TO A POINT; THENCE SOUTH 01°51'00" EAST 460.00 FEET TO A POINT ON THE NORTH LINE OF WEST SILVER SPRING DRIVE; THENCE SOUTH 88°09'00" WEST ALONG SAID NORTH LINE AND PARALLEL WITH SOUTH LINE OF SAID ¼ SECTION 325.00 TO A POINT; THENCE NORTH 27°41'20" EAST 34.48 FEET TO A POINT; THENCE NORTH 01°51'00" WEST 150.00 FEET TO A POINT; THENCE SOUTH 88°09'00" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID ¼ SECTION 330.00 FEET TO A POINT; THENCE SOUTH 01°51'00" EAST 180.00 FEET TO A POINT ON THE NORTH LINE OF WEST SILVER SPRING DRIVE; THENCE SOUTH 88°09'00" WEST ALONG SAID NORTH LINE AND PARALLEL WITH SOUTH LINE OF SAID ¼ SECTION 22.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 1,057,072 SQUARE FEET, 24.27 ACRE, MORE OR LESS.

**TIMMERMAN PLAZA  
 DETAILED PLANNED DEVELOPMENT  
 STATISTICAL SHEET**

<u>STATISTICAL COMPARISONS</u>	<u>SQUARE FEET</u>	<u>ACRES</u>	<u>% OF TOTAL</u>
Gross Land Area	1,057,057	24.27	100%
Land Covered by Principal Buildings	225,196	5.17	21.3%
Land Devoted to Parking, Drives and Parking Structures	601,422	13.81	56.9%
Land Devoted to Landscaped Open Space, including pedestrian paths and plazas	230,434	5.29	21.8%
Total Square Footage Devoted to Nonresidential Uses	1,057,057	24.27	100%

<u>SUMMARY INFORMATION</u>	<u>NUMBER</u>
Proposed Number of Buildings	3, provided the same may be divided into multiple tenant spaces
Dwelling Units Per Building	0
Bedrooms Per Dwelling Unit	N/A
Parking Spaces Provided	Between 1020 and 1050 surface spaces
Ratio Parking Space Per 1,000 Sq. Ft. of Building Area	Not less than 3.0 spaces and not more than 5.0 spaces per 1,000 square feet of building area



