

FOREST COUNTY POTAWATOMI LEGACY DISTRICT

AMENDED GENERAL PLAN OF DEVELOPMENT PROJECT DESCRIPTION AND OWNER'S STATEMENT OF INTENT

November 11, 2011

Revised December 5, 2011

(Common Council File No. 110625)

I. COMPONENTS OF GENERAL PLAN AND SUPPORTING MATERIALS

The Forest County Potawatomi Community (the "Tribe") requests that the existing General Planned Development District zoning of the property at and around 1721 West Canal Street be amended in accordance with this submission. The existing zoning was established pursuant to an ordinance adopted by the Common Council of the City of Milwaukee on September 27, 2005, in file number 050469.

This amendment is being sought for the limited purpose of altering the uses for that part of the land lying west of the west leg of West Potawatomi Circle to include a biogas cogeneration facility.

This Statement of Owner's Intent, together with the accompanying plan sheets and related materials, identified below, constitutes and supports the general development plan. Items that have been revised from the versions included in the existing zoning are marked "(AMENDED)."

Plan Sheets

Sheet Index

- GPD-0 Cover Sheet / Vicinity Map (AMENDED)
- GPD-1 Project Team / Sheet Index – Existing
- GPD-2 ALTA/ACSM Land Title Survey – Existing
- GPD-3 Proposed Project Boundary Description – Existing
- GPD-4 Existing Facilities Site Plan (AMENDED)
- GPD-5 Proposed Building and Parking Site Plan (AMENDED)
- GPD-6 Proposed Campus Perimeter Façade Standards (AMENDED)

Exhibit A Statistical Sheet (AMENDED)

Exhibit B Site Photographs – Existing

II. OVERALL DEVELOPMENT CONCEPT

1. Existing Conditions:

The Tribe's existing facility at 1721 West Canal Street (West Canal at 16th Street) is a 3-story building (ground level, mezzanine and 2nd level) that opened in October of 2000 with a major expansion completed in 2008.

The principal building contains approximately 772,900 total gross square feet and includes casino space, five restaurants, two bars, a bingo hall, a theater and meeting rooms, as well as support spaces such as offices, employee spaces, kitchens, storage, docks, and warehouse. The facility also has a ground level entry lobby and a third level enclosed pedestrian bridge linking the principal building to two adjoining car parking structures with a total capacity of approximately 3,600 vehicles.

The building's construction is a combination of concrete and steel, with exterior materials of brick, pre-cast concrete, terra cotta, copper and glass/aluminum. Architectural exterior elements reflecting tribal culture are expressed on the building exterior. The existing parking structures are 6-story prestressed concrete buildings.

The portion of the site occupied by the principal building consists of approximately 7.6 acres of land owned by the Secretary of the U. S. Department of the Interior in trust for the Tribe. There is additional non-trust property of approximately 23.3 acres, which is used currently for surface parking lots and the two parking structures.

The proposed project to be accommodated by this GPD amendment will occupy a portion of what is now a surface parking lot of approximately 900 spaces. The project site is toward the western end of the roughly triangular 10.68 acre parcel formerly known as Plankinton Yards when it was owned by The Milwaukee Road. The base of the triangle lies along the west leg of West Potawatomi Circle. The apex of the triangle points to the west, and currently contains a storm water detention pond. All of the triangle between the detention pond and the west leg of West Potawatomi Circle is currently surface parking used by casino employees. The proposed project will occupy the westerly 2.66 acres of the land now devoted to surface parking

The Potawatomi Bingo Casino is located in the Menomonee Valley, and employs approximately 2,900 people, more than half of whom are racial and ethnic minorities. The proposed project is expected to add six more full-time employment positions. Many of Potawatomi Bingo Casino employees come from the surrounding neighborhoods in Milwaukee. The proposed expansion will help to restore the Menomonee Valley to its historical role as a place of stable employment for families in the surrounding neighborhoods.

2. Proposed Project:

The Tribe is deploying a diverse number of “off the shelf” renewable energy technologies throughout FCPC land in Forest County and Milwaukee County under a Department of Energy (“DOE”) conditional award grant. The proposed biogas cogeneration development in Milwaukee is unique. It will be the country’s first biodigester being developed for its environmental and energy potential, instead of as a means to mitigate a disposal problem. This community resource will convert the organic byproducts of the region’s robust food processing industries into energy.

The facility will use a natural biological process, anaerobic digestion, to produce a fuel very similar to natural gas, using as a feedstock the waste materials generated in the Milwaukee area’s many food and beverage industries. The solids remaining after gas production are also useful as a soil amendment and for a variety of other beneficial purposes.

The installation will produce a total of approximately 2.0 MW gross electrical power output. The electrical power generated will be sold to We Energies under a biogas production buy-back tariff. The engine generators will be fitted with heat recovery equipment to provide heat and hot water for the digesters and other beneficial uses. Co-siting the facility adjacent to Potawatomi Bingo Casino (PBC) will allow PBC to utilize the excess recovered heat for domestic water and space heating needs. The biogas generation facility will support the Tribe’s overall goal of becoming energy self-sufficient using renewable carbon-neutral resources.

The proposed biogas generation facility will be located one block west of the existing casino and parking structures at the far west of FCPC property. The primary building will house the feedstock receiving operation and the engine generators. This building will be high bay industrial space which will include one enclosed truck bay for feedstock receiving & processing and dewatering & processing of the solids remaining after gas production. A lower bay will contain internal combustion engine generators with support facilities. This building will be 9,760 s.f. The engine generators will utilize 16 inch diameter stacks that will extend to eighty feet above grade. The other two main structures will be digester tanks with a volume of approximately 1.05 million gallons each. These will occupy 5,170 s.f each, and will be approximately eighty feet in diameter. Other site appurtenances include a shielded biogas back-up flare and a twenty foot diameter feed tank located adjacent to the digester tanks. The biogas generation facilities will occupy a total of approximately 20,450 total s.f. of this site.

The project will be far removed from residential or public areas. Nevertheless, state-of-the-art silencers will be installed on the engines, and all feedstock handling will take place in an enclosed, negative-air-pressure environment to assure that noxious odors are not released.

It is planned to submit a Certified Survey Map to create three lots out of the existing Plankinton Yards lot. Lot one will be the existing employee parking lot. Access to the second lot, site of the biogas facility, will be through a driveway located at the north end of the parking lot with a new curb cut off West Potawatomi Circle. The eastern

boundary of the project (other than the drive) will be 420 feet from the street. A third lot will contain only the detention pond. Lot One, the remaining employee lot, will be 5.46 acres. Lot 2, the biogas digester project site and drive, will be approximately 2.66 acres. The area of Lot 3, the detention pond, will be 2.56 acres.

While we have described the Tribe's intentions regarding the Certified Survey Map for the sake of completeness, it should be noted that the boundaries of the accompanying Detailed Planned Development District application correspond to existing parcel boundaries.

Employee parking requirements for the biodigester are minimal and will be accommodated on site. The existing parking structures have a capacity of approximately 3,600 cars. The existing below grade valet parking structure accommodates 300 additional cars. Existing surface lots in the development accommodate another 1,160± cars and are used primarily for employees and some overflow valet parking. This development will displace approximately 350 parking spaces. This loss of spaces is acceptable. The total parking capacity for the overall GPD property will be approximately 4,480 cars. On-street parking will not be necessary.

The employee parking lot (including the decorative fencing and landscaping treatment along the west branch of West Potawatomi Circle) and the storm water detention facilities at the western end of the site have already been fully developed to City standards under prior zoning. They are included in this DPD for the sake of completeness and accuracy.

3. Approved Uses:

Sheet GPD-5 shows the existing and proposed building and parking zones within the site, as well as circulation facilities and open space. Following are the potential uses, square footages, and maximum heights for each of the zones, as applicable:

- A. Entertainment and Support Facilities with Underground Parking – Uses within this area may include Gaming Facility, Theater, Conference and Exposition Center, Restaurant – Sit Down, Cultural Institution, and Parking Structure. Maximum gross square footage will be 1,000,000 square feet, with a maximum height of four stories.
- B. Future Development Zone – Uses within this area may include Parking Lot, Parking Structure, Restaurant – Sit Down, Theater, General Office, and Cultural Institution.
- C. Structured Parking – Uses may include Parking Structure, and General Office. Maximum parking structure height is 8 parking levels, which would include any office space.
- D. Surface Parking – Uses may include Parking Lot, including bus parking, and Parking Structure. Maximum parking structure height is 8 parking levels.

- E. Circulation Facilities – Uses may include roadways, driveways, vehicular bridge, and pedestrian facilities, including elevated walkway, as further defined in III.G.
- F. Open Space – Uses may include storm water management facilities, landscape areas, and pedestrian facilities, as further defined in III.F.
- G. Biogas Cogeneration Facility – As more fully described in Section II.2 above, the facility will use anaerobic digestion to produce fuel gas and useable organic solids from food and beverage industry waste, with the gas being used to produce electric power as well as recoverable waste heat.

4. Land Use Plan for the Menomonee Valley:

On August 10, 1998, the City Plan Commission adopted a Market Study, Engineering, and Land Use Plan for the Menomonee Valley as an element of the comprehensive plan of the City. This document (the “Menomonee Valley Plan”) was approved by the Common Council on September 23, 1998, in File No. 980698, in a resolution providing that the Menomonee Valley Plan shall provide guidance and serve as a basis for decision making by the Common Council on land use and physical development issues.

A great deal has happened in the Menomonee Valley since adoption of the Menomonee Valley Plan. Indeed, many of its goals and recommendations have been realized. The 6th Street Viaduct has been rebuilt to provide an at-grade connection of 6th Street to Canal Street, the Marquette Playing Fields have been constructed on Canal Street, the Harley Davidson Museum has been built, Canal Street has been reconstructed and extended to Miller Park Way, new stormwater parks have been constructed, a variety of new office, commercial and industrial buildings have been developed and, of course, the Tribe completed a new casino in 2000 and a major expansion of that casino in 2008.

The Tribe is proud to have played a role in the extraordinary re-birth of the Menomonee Valley. We believe that the current project is fully consistent with the Menomonee Valley Plan and will constitute another step in its fulfillment. Indeed, the fit of the Tribe’s current project with the Menomonee Valley Plan is virtually perfect. One of the core recommendations of the Plan is to “attract desirable and new industrial and business development.” (Menomonee Valley Plan, p. 2). The Plan goes on to note that “industrial uses will be emphasized in the central portion of the Valley.” The site of the Tribe’s current project, which at the time of the Plan’s preparation was still owned by CMC Heartland Partners, is identified on Map No. 5 of the Plan, which depicts potential development sites, as Site RR-4, and is noted as being available for redevelopment with the caveat that most of the former railroad properties in the Valley have limited accessibility.

With active rail yards on two of the three sides of this project site, it would be hard to find a better example of the limited accessibility affecting former railroad lands. The Tribe’s proposed biogas cogeneration provides an ideal, and possibly unique, way to use this parcel to take an additional step in fulfillment of the Menomonee Valley Plan.

III. COMPLIANCE WITH STANDARDS

The proposed GPD development rezoning complies with, or varies from, the standards prescribed by Section 295-907 of the Milwaukee Code of Ordinances in the following respects:

A. Size (295-907.2.c-1-a.)

The Forest County Potawatomi Legacy District area subject to the GPD is approximately 1,530,999 square feet (35.146 acres). FCPC property holdings in the District exclusive of public right of way is 1,347,306 square feet (30.93 acres).

B. Density (295-907.3.c.)

Not applicable.

C. Space Between Structures (295-907.3.d.)

The location of structures in the GPD complies with the applicable provisions of the Wisconsin Administrative Code, ILHR Chs. 50-65.

D. Setbacks (295-907.3.e.)

Proposed standards for façade and landscaping treatments have been established for street edges within the development. The setbacks are defined below for each façade treatment. Refer to Sheet GPD-6 for the location of the treatments.

Principal Façade is defined as the public façade designed in accordance with the City of Milwaukee Urban Design Guidelines. The Principal Façade areas are associated with the main buildings and parking structure fronts. The Principal Façade areas will have setbacks from the property line of a minimum of zero feet, to a maximum of 30 feet. The Principal Façade areas will have pedestrian and vehicular entrances designed for the public, as well as for deliveries. The Principal Façade areas will have landscaping and streetscape treatments designed to enhance the pedestrian experience. These include decorative pavements, special lighting, street trees, planting beds, benches, directional signage, and cultural related features on the building façade and within the pavement. There will also be canopies and seating areas at the entrances and valet parking drop off areas.

Secondary Façade is defined as the area not generally exposed to significant public contact. Secondary Façade areas will be associated with the back of the building areas, parking structures, utilities, and materials management facilities, facing the interiors of the project site. Pedestrian and vehicular access points will not be used by the public. Parking structure facades may be partially open, for ventilation purposes. Isolated from streets as it is, the new biogas generation facility will be entirely Secondary Façade area.

Existing Façade will generally remain as is, but may have landscape and streetscape improvements to improve the pedestrian experience, where appropriate.

E. Screening (295-907.3.f.)

Urban Landscape Treatment will be used as a landscape buffer along all streets. New landscaping shall conform to City of Milwaukee requirements. Screening of surface parking and circulation facilities will be Type “B” landscaping (standard hard urban edge landscaping) and Type “C” Landscaping (modified hard urban edge landscaping) conforming to Section 295-405.1.b-1 through 03. Facilities such as mechanical equipment or enclosures, dumpsters, and other trash collection equipment, will be screened per Section 295-405.1.b-7, Type “G” Landscaping (object screening), wherever these facilities are visible to the public. Fencing and walls shall be in accordance with Table 295-405.1-c, Fence/Wall and Landscaping Requirements for Landscape Types, and Section 295-405.1.c-5.

F. Open Spaces (295-907.3.g.)

Open spaces are shown on Sheet GPD-5. 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.

G. Circulation Facilities (295-907.3.h.)

The general location of circulation facilities, including pedestrian and vehicle access and egress, as well as dropoff and loading facilities, and elevated pedestrian and vehicular bridges, are identified on Sheet GPD-5. Adequate access for pedestrians and private vehicles shall be provided. Parking and loading facilities shall be located near the uses they support and will be adequately screened.

H. Landscaping (295-907.3.i.)

Site landscaping standards will conform to Section 295-405, Milwaukee Code of Ordinances; and will be of a quality consistent with the standards of the American Association of Nurserymen (ANSI 260.1). Surface parking and circulation facilities will be landscaped and screened in conformance with in Section 295-405.1.b, as specified in III.E above. Open spaces will include the uses and related landscape standards as specified in III.F, above. Landscaping shall meet or exceed the requirements of Section 295-405.1.c, for planting materials, fencing and walls, and berms. Landscape features may encroach into the public right-of-way, with City approval, in accordance with Section 295-405.1.c-8.

I. Lighting (295-907.3.j.)

New building lighting will conform to the Illuminating Engineering Society Standards and City of Milwaukee Ordinances. All exterior lighting shall be shielded so as not to cause glare on adjoining streets, or light escape to nearby residences.

J. Utilities (295-907.3.k.)

All new utility lines will be installed underground. New transformers and substations will be installed within buildings or will be otherwise screened from view.

K. Signs (295-907.3.l.)

Signs will be developed per a Master Sign Program, in accordance with Section 295-907.3.l-3, Milwaukee Code of Ordinances, and other requirements of the City of Milwaukee. The Master Sign Program includes monument signs, directional signs, identification signs, informational signs, and canopy signs.

The Main Entrance sign will be a monument sign, located on Canal Street, at the northeast corner of the site. It will have a 2-foot tall masonry base, a 15-foot long, 3-foot high sign panel, two sided, metal, externally lit, with a 16-foot tall decorative lantern.

The proposed vehicular bridge connection from the James E. Groppi Unity Bridge to the existing parking structure will be straddled at the face of the parking structure by a 30-foot wide by 15-foot high video screen sign, which will provide directional information and details on activities at the casino. The sign will be metal, and will be internally lit.

There will be monument signs at key locations around the site, to provide directional information. The signs will range in height from 4.5 feet to 8 feet, and in width from 2.8 feet to 4 feet. These signs may be internally or externally lit. Signs may be located in the right of way, or off-premise, subject to City approval.

There will be pole mounted signs, for directional and other information, that may serve other functions, such as, decorative lighting, flag poles, and time or temperature displays.

Informational signage will be provided at entrance canopies and at parking structure entrances and exits.

The detailed Master Sign Program will be submitted as part of the Detailed Plan Development (DPD) submittal.

L. Survey (295-907)

The ALTA/ASCM Land Title Survey, Sheet GPD-2 shows topography at 1-foot intervals.

IV. “STATISTICAL SHEET” INFORMATION

Section 295-907.2.c-1 of the Milwaukee Code of Ordinances provides that this Owner’s GPD Project Description contain a statistical sheet setting forth specific information on the project. The pertinent information required under this Section is set forth on the Statistical Sheet attached hereto as Exhibit A.

EXHIBIT A
GENERAL PLAN DEVELOPMENT STATISTICAL SHEET
FOREST COUNTY POTAWATOMI LEGACY DISTRICT

2.b-1-a	Gross Land Area	<u>1,347,306</u> sf <u>30.93</u> ac	
2.b-1-b	Maximum Amount of Land Covered by Principal Buildings	<u>285,751</u> sf <u>6.09</u> ac	<u>20</u> percent of total
2.b-1-c	Maximum Amount of Land Devoted to Parking, Drives and Parking Structures	<u>720,000</u> sf <u>16.53</u> ac	<u>53</u> percent of total
2.b-1-d	Minimum Amount of Land Devoted to Landscaped Green Space	<u>300,000</u> sf <u>6.89</u> ac	<u>22</u> percent of total
2.b-1-e	Total Area Devoted to Non-Residential Uses	<u>1,347,306</u> sf <u>30.93</u> ac	<u>95</u> percent of total
2.b-1-f	Proposed Number of Buildings	<u>7 (3 existing)</u>	
2.b-1-i	Parking Spaces Provided	<u>810</u> Surface	
		<u>3,669</u> Structured	
		<u>4,479</u> Total	
		<u>5.72</u> Number of cars per 1,000 square feet	

EXHIBIT B
SITE PHOTOGRAPHS



Southeast View from Biogas Generation Site



East – Southeast View from Biogas Generation Site



East – Northeast View from Biogas Generation Site



Northeast View from Biogas Generation Site



North View from Biogas Generation Site



Northwest View from Biogas Generation Site



West View from Biogas Generation Site



Southwest View from Biogas Generation Site



South View from Biogas Generation Site