VILLAGE OF ELM GROVE
13600 Juneau Boulevard
Elm Grove, WI 53122

PLAN COMMISSION MEETING
Monday, March 4, 2019 * 7:00 PM * Park View Room

AGENDA

1. Roll Call.

2. Review and act on meeting minutes dated 1/7/19.
   Documents:
   pc010719dm.pdf

3. Review and act on a request to rezone 13040 W. Bluemound Road from B-3 Mid-Rise Office and Professional district to Rm-2 Multi-Family Residential district with a Residential Planned Development Overlay pursuant to §335-77 and §335-30G(2) and in accordance with Wisconsin State Statute 62.23(3)(b), amend the Village Comprehensive Plan.
   Documents:
   13040 w bluemound zoning pdo submittal 12-18-2018.pdf
   amended re-zoning application 2-12-2019 final.pdf
   harrigan-20190206-13040 w bluemound road redevelopment plan review.pdf

4. Other Business

5. Adjournment.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires that the meeting or materials for the meeting has to be in an accessible location or format must contact the Village Clerk, Mary S. Stredni, at 262-782-6700 or 13600 Juneau Boulevard by 3:00 PM Friday prior to the meeting so that any necessary arrangements can be made to accommodate your request.

NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in the above notice.
Meeting was called to order by President Palmer at 7:00 p.m.

1. Roll Call.
Present: President Palmer, Mr. Reineke, Mr. Jodie, Mr. Michalski, Mr. Cashin, Mr. Long, Mr. Kujawa
Absent: None
Also Present: Thomas Harrigan, Zoning and Planning Administrator, David De Angelis, Village Manager, Hector de la Mora, Village Attorney, and applicants.

2. Review and act on meeting minutes dated 12/3/18.

Mr. Michalski motioned and Mr. Long seconded to approve the meeting minutes dated 12/3/19. Motion carried 7-0.

3. Review and act on a request for a demolition permit for a single family residential home located at 1820 Fairhaven Boulevard pursuant to §106-11 to §106-14.

Mr. Jonathan Mulcahy, owner of 1820 Fairhaven Blvd., was present before the Commission.

President Palmer asked Mr. Mulcahy if anything has changed in the demolition application since it was submitted.

Mr. Mulcahy stated that nothing has changed.

President Palmer asked Mr. Harrigan if all required documents have been submitted to the Village, other than the demolition deposit and public way disturbance bond.

Mr. Harrigan confirmed all documents are in order.

Mr. Michalski motioned and Mr. Cashin seconded to approve the demolition permit application for 1820 Fairhaven Blvd. Motion carried 7-0.

4. Review and act on a request by the Wisconsin Department of Health Services to complete a description of any specific hazards which may affect the health and safety of the residents of the community living arrangement located at 1820 Westmoor Terrace.

President Palmer explained the Village previously had CBRF facilities in other locations in the past. It was also noted, this item is not a “yes” or “no” decision for the Commission to consider. Rather, this is a compliance procedure for the Wisconsin Department of Health Services. President Palmer highlighted that the Commission has received several testimonials from local residents who live on Westmoor Terrace along with Police reports from the Village Police Department. These all relate to past incidents at the CBRF facility.
located at 1820 Westmoor Terrace. Based on the substance of these reports, it would be an indication there exists several hazards to the residents of the CBRF facility.

Attorney de la Mora commented that based on the documented reports, the primary concern is proper staffing of the facility. The numerous police reports include staff of the facility. Including the incident of the strong armed robbery which involved participation of a former disgruntled staff member. Attorney de la mora also commented there appears to be a lack of supporting documentation regarding inconsistencies of ownership and management with the facility. Attorney de la Mora recommended the Commission instruct Village Staff to provide the Wisconsin Department of Health Services the documented police reports as well as the testimonial letters from the adjacent property owners on Westmoor Terrace.

President Palmer noted that safety of the residents of the CBRF facility is the primary concern.

Renae Wagner, current applicant for the state CBRF license, was present before the Commission. Ms. Wagner stated she is the owner of the facility and she is the current applicant under review by the Wisconsin Department of Health Services. She has been in frequent contact with Alfred Johnson who is the head of assisted living for the state. She has owned the facility since 2017 and the previous operator of the facility was doing so under a contracted lease. Ms. Wagner stated she will be remodeling the facility. She stated that she was unaware of all the police calls except for the strong armed robbery as the back door of the home was damaged due to the break in. The facility will be remodeled for dementia and Alzheimer’s patients and it will not be allowed to enter into a condition that it was before.

President Palmer asked Ms. Wagner if she is applying as an owner operator.

Ms. Wager stated she took the administrator facility course in 2017 and is fully trained.

Mr. De Angelis commented that all the previous property maintenance zoning violations were sent to Joel Banda, 16555 Hillsdale Drive, Brookfield WI.

Mr. Harrigan noted the property owner and mailing address listed for 1820 Westmoor Terrace is Varsity Properties, 16555 Hillsdale Drive, Brookfield WI. Ms. Wagner is the owner of Varsity Properties LLC. and 16555 Hillsdale Drive is the residence of Joel Banda, former operator of the CBRF facility at 1820 Westmoor Terrace.

Ms. Wagner stated she is was unaware that the owners name and mailing address for 1820 Westmoor Terrace is incorrectly registered in this manner at Waukesha County.

Attorney de la Mora asked Ms. Wagner if she is willing to meet with Village Staff in order to obtain copies of the police reports and testimonials from the Village residents on Westmoor Terrace. It should also be discussed as to how the CBRF operation will be operated so that the previous zoning violations may be avoided in the future.

Ms. Wagner agreed to meet with Village Staff.

President Palmer suggested Ms. Wagner and Village Staff meet as soon as possible.
Attorney de la Mora recommended the Commission render a recommendation to the Wisconsin Department of Health Services of non-support for licensing of the CBRF facility based on the past operating history of the facility. It should be noted the Village is willing to work with the proponent of the license but is not willing to support her operation unless it is seen a willingness on the applicants behalf to clean up the past incidents of the property.

Mr. Michalski commented that property ownership needs to be made clear.

President Palmer stated the response letter to the state should also include the past police record and comments from the local residents as well.

Mr. Cashin motioned approval of Attorney de la Mora’s recommendation and Mr. Michalski seconded.

The Commission entertained comment form Village resident Tom Hanson, 1850 Westmoor Terrace. Mr. Hanson stated he did submit a testimonial letter for the Commissions consideration. Mr. Hanson is concerned with the association of Varsity Properties LLC and Banda Care. For transparency sake, it would be helpful to understand if there is any operating relationship between the two entities.

Motion Carried. 7-0.

5. Review and act on a request to rezone 13040 W. Bluemound Road from B-3 Mid-Rise Office and Professional district to Rm-2 Multi-Family Residential district with a Residential Planned Development Overlay pursuant to §335-77 and §335-30G(2) and in accordance with Wisconsin State Statute 62.23(3)(b), amend the Village Comprehensive Plan.

Philip Schultz and William Rutherford of Horizon Development were present before the Commission.

Mr. Schultz presented a PowerPoint presentation to Commission which detailed the independent senior living development proposal. The presentation summarized the proposed public improvement component of the project as well has a detailed parking analysis.

Mr. Reineke stated that he feels there is potential for seasonal variation for the demand on parking stalls.

Mr. Schultz commented that the concept of banked parking would be proposed if it was determined additional surface parking would be needed to serve the development.

President Palmer asked Ms. Schultz if Emerald Woods or Douglas Plaza residents decide to connect to municipal water, would they be required to share in the cost of the water main extension.

Mr. Schultz stated that typically, there would be some form of a cost sharing agreement in those types of situations.

Mr. De Angelis highlighted that the water main proposed to be located in front of the proposed development would need to be located in a permeant easement as the City of Brookfield would be the owner of that facility. Also, there are statutory provisions which allow for the recapturing of costs for water main installations.
Attorney de la Mora noted that if cost sharing came into play, it would arguably only include the line located on the eastern most boundary of 13040 W. Bluemound Road.

President Palmer commented that any detail of that would be included within the development agreement.

Mr. Schultz provided a conceptual timeline on the proposed development.

President Palmer explained this meeting is the initial review of the Plan Commission. The Commission may choose to make a recommendation to the Village Board, at which time a public hearing would take place. In order for the project to move forward, the Commission must place the development proposal under review with the requirements and guidelines found within the Code of Ordinances. President Palmer asked if any one of the Commissioners would like to begin the discussion.

Mr. Jodie stated that as a retired traffic engineer, he is very impressed with the presentation. The last time the development proposal was before the Commission for conceptual review, he asked Horizon Development to consider being creative with the ingress and egress access points for the development. To provide more than the singular access point located on Bluemound Road.

Mr. Schultz explained that alternative access points have been explored, however there are no viable options for this request. The residents of Emerald Woods condominiums do not wish to have a new access point on Wall Street serving their property and the proposed development as an alternative northerly access. Also, 500 Elm Grove Road is not configured in such a way to allow for an alternative access through their property.

President Palmer commented that independent senior living facilities are a very specific use which generate significantly low traffic volumes.

President Palmer noted the requirements needing to be met in order for enhanced density to be awarded need to be evaluated.

Mr. Kujawa stated the six points found on page three of the meeting memo seem to be adequately addressed.

President Palmer commented the Village’s Comprehensive Plan Identifies senior housing as a future need for the Village.

Mr. Cashin stated he initially had concerns with the building scale and density, but believes his concerns have all been addressed through the presentation.

Attorney de la Mora stated the presentation and proposal is predicated on the assumption that people over the age of 62 will be living there. Conceivably Horizon Development could sell the property and building to a larger development group. That development group may potentially intend to lift the age restriction. Would Horizon Development be willing to engage in a deed restriction on the property where as the Village would have to be consulted in order to lift the deed restriction?

Mr. Shultz confirmed, Horizon Development would be willing to engage in a deed restriction. He said that is a very common mechanism to address that concern. Horizon would have no problem with the deed restriction as the data indicates there will always be a need for senior housing.

President Palmer asked if Horizon would have a problem with also including that language in the development agreement.
Mr. Schultz stated that would not be a problem.

Mr. De Angelis clarified that the development agreement will not be approved until the very last act of the review process. It will be important to have the draft development agreement available by February 25th in final draft format.

The Commission entrained comment from residents.

Ted Matcom was before the Commission speaking on behalf of his mother-in-law, Beverly Thomas, who resides in the Emerald Woods condominiums. Mr. Matcom explained he is also a developer of senior living facilities and has worked with Horizon development in the past. His main concern with the Horizon development proposal is parking. The comparisons being presented to the Plan Commission are not “apples to apples”. Mr. Matcom would prefer the parking requirements be placed at 1.5 parking stalls per dwelling unit. Also, Mr. Matcom asked if Horizon Development would consider creating a conservancy easement where the existing vegetation exists on 13040 W. Bluemound Road. Mr. Matcom asked if there is a standard that will be applied to the proposed development when considering enhanced density.

President Palmer stated the Watermark Condominiums will be used as a benchmark.

Mr. Matcom noted the proposed development plans indicate cement board siding would be used in construction. He suggests keeping an eye on the proposed construction materials for the project.

Mr. Todd Nichol, President of the Emerald Woods Condominium Association, was present before the Commission. Mr. Nichol noted if the banked parking is to be installed, vegetation would need to be removed from the north side of the property. Mr. Nichol also stated that he believes that parking data is inaccurate. Many of the Emerald Woods residents are over the age of 70 and have two vehicles.

Mr. Schultz stated the parking analysis includes data from both affordable housing facilities as well as market rate facilities.

Mr. Nichol commented that he could conceive a delivery driver pulling into the “turn around” on the north end of the development, but cannot conceive the driver being able to back out.

Ms. Laura Rosenbaum, resident of Emerald Woods, was present before the Commission. Ms. Rosenbaum stated that she has concerns regarding the proposed density. Emerald Woods has a density ratio of 14 units per acre. The Horizon development proposal would be close to 38 units per acre. The data used for the parking analysis is not analogues to Elm Grove. The development proposal includes a party room, so there is some expectation there will be visitors to the development. There is also a concern with the development being located on Bluemound Road, this could potentially be dangerous for those living in the development.

Mr. Kujawa motioned and Mr. Cashin seconded to for preliminary approval of the development proposal. Motion carried 7-0.

6. Other Business

President Palmer commented that Emerald Woods may want to consider a future access connection to Wall Street from their northerly property boundary in the future.
7. Adjournment

Mr. Long motioned and Mr. Cashin seconded to adjourn the meeting. Motion carried 7-0.

Meeting adjourned at 9:42 p.m.

Respectfully Submitted,

Thomas Harrigan
Zoning and Planning Administrator/
Assistant to the Village Manager
December 18, 2018

Mr. Tom Harrigan  
Zoning/ Planning Administrator  
Village of Elm Grove  
13600 Juneau Boulevard  
Elm Grove, WI 53122

Re: Elm Grove Heights Request to:
1. Re-zone 13040 W Bluemound Road from B-3 to RM-2 with a Planned Development Overlay;
2. Amend the Comprehensive Plan.

Dear Mr. Harrigan,

On behalf of Horizon Development Group, Inc., ("Horizon") we would like to thank the Village of Elm Grove for the opportunity to submit this request. We believe strongly in the need for independent senior apartments in Elm Grove, and we look forward to working together to make Elm Grove Heights a reality.

Enclosed, please find the necessary materials for the Plan Commission to evaluate Horizon’s request to (1) re-zone 13040 Bluemound Road to RM-2 with a Residential Planned Development Overlay, and (2) amend the Comprehensive Plan.

If you have any questions or need any additional information, please contact Will Rutherford at w.rutherford@horizondbm.com / (608) 354 – 0843. Thank you in advance for your time and consideration.

Sincerely,

HORIZON DEVELOPMENT GROUP, INC.

Philip Schultz
Director of Development

Cc. Will Rutherford, Horizon
I. Introduction

Elm Grove Heights:

Horizon is proposing to develop Elm Grove Heights, a 75-unit independent senior apartment community to be located at 13040 W Bluemound Road. The project will feature a mix of one and two-bedroom apartments, a clubroom with a kitchen, an exercise room, tenant storage, and heated underground parking. As an independent senior living facility, the property will function like a traditional apartment building and will neither provide meals nor medical services. Pursuant to the RM-2 zoning district, all units will be rented to households in which every occupant is age 62 and better.

Entitlements History:

Horizon originally submitted a re-zoning request for Elm Grove Heights in June of 2018, but the Village ultimately determined that the zoning code could not accommodate a project of this size on our site. The Village Board recognized the need for independent senior housing in the Village and recommended that staff research a potential structure for a new zoning ordinance. In November 2018, the Village passed a new zoning ordinance (RM-2 Multiple-Family Residential) to better address the development of independent senior housing.

Request, Deliverables, and Appendices:

Horizon submits this request to (1) re-zone 13040 W Bluemound Road from B-3 to the newly-created RM-2 district, (2) apply for a Residential Planned Development Overlay, and (3) amend the Comprehensive Plan. We have included the following items to aid in the Plan Commission’s evaluation of our request:

1. Rationale for Re-zoning (Section II);
2. Planned Development Overlay Petition (Section III);
3. Rationale for Enhanced Density (Section III);
4. Appendices (Section V).

In reviewing this request, please reference the below Appendices as appropriate:

1. Proposed Building Plans and Existing Building Plans;
2. ALTA Survey and Existing Conditions Survey;
3. Proposed Site Plan;
4. Proposed Lighting Plan;
5. Proposed Surface Water Drainage Plan and Stormwater Management and Utility Plan;
6. Landscaping Plan;
7. Parking Submittal – Independent Senior Housing;
8. Re-zoning Map Submitted to the Board of Trustees.
II. Rationale for Re-zoning

Section 335-77 of the Elm Grove Municipal Code requires that all petitions to amend the zoning code include a rationale for granting the request, together the following items: (A.) Plot plan, drawn to a scale of one inch equals 100 feet, showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts and the location and existing use of all properties within 300 feet of the area proposed to be rezoned (this item was submitted to the Trustees and is included in Appendix 8); (B.) Owners' names and addresses of all properties lying within 100 feet of the area proposed to be rezoned (this item was submitted to the Trustees on December 5th, 2018 and is available on request from Village Staff); and (C.) Additional information required by the Plan Commission or Village Board.

The below excerpt was submitted to the Board of Trustees on December 5, 2018 as our rationale for re-zoning.

"Amending the Comprehensive Plan to accommodate Elm Grove Heights will help meet the housing demand for the Village's rapidly expanding senior population. The US Census Bureau estimates that the senior demographic will continue to expand over the next decade, reaching approximately 20% of the national population by 2030.¹ Elm Grove is actually well ahead of this trend: as of 2000, the Comprehensive Plan indicates that over 34% of Elm Grove's residents are over the age of 64, 16.9% of which are over the age of 75.² Unfortunately, Elm Grove residents do not currently have options in the Village or the immediate surrounding area for independent senior housing. Elm Grove Heights presents an opportunity for the Village to create the only independent senior community in the Village. With an already large senior population that will continue to expand, it is important for Elm Grove to address this need.

Elm Grove Heights is compatible with the multifamily uses in the surrounding area. There are 18 parcels of Elm Grove land within 1,000 feet of the Property that are zoned for or have an existing conditional use permit for multifamily (several of which front Bluemound Road). This includes the immediately adjacent parcels to the north, northwest, and northeast, which all contain existing condominiums or multifamily rentals. Independent senior housing will work well with these uses and it will provide support to local businesses.

Elm Grove Heights will help to stimulate Elm Grove’s next economic cycle by keeping higher income seniors in the Village, and by promoting turnover of the existing housing stock. The Village’s Comprehensive Plan identifies the following issues:

"(1) Senior-aged persons that desire to remain as Village residents but “downsize” their housing accommodation may be unable to secure housing within the Village that provides options for senior-aged services, is affordable and is of smaller scale than typical single family detached units.

(2) The density of housing in the Village represents a potential barrier for future economic viability and vitality as a local hub for retail goods and services.\(^3\)

Elm Grove Heights will provide seniors, who helped build the community, the opportunity to sell their homes and remain in the Village. In the process, the existing housing stock will be turned over to families who will become the next generation of Elm Grove’s home owners. The increase in population will support local businesses and make Elm Grove a more attractive location for future retail goods and services. Also, Elm Grove Heights will increase the Village population at a location that is designed to accommodate higher levels of population.

High visibility locations like Bluemound Road are ideal for projects like Elm Grove Heights because independent senior housing has a low impact on traffic counts. The development team contacted the Wis DOT to discuss the proposed project, and Wis DOT indicated that they will not require a traffic study. They believe that Bluemound Road is well-suited to handle the light increase in vehicular traffic that will be generated by 75 units of senior housing. Wis DOT’s conclusion is consistent with Horizon’s internal data – we typically see less than one trip per unit (coming and going) per 12-hour period at comparable properties.”

\(^3\) The Comprehensive Plan for the Village of Elm Grove, Chapter 2: Issues and Opportunities. P. 5.
III. Planned Development Overlay Petition.

In submitting a request for a Planned Development Overlay, Section 335-30(G)(2) requests that the developer submit a Petition for re-zoning that contains two primary components: (a) a “statement that describes the relation of the proposed PDO District to the Village’s Zoning Code, adopted Master Plan (or any component thereof), and describes in detail the uses requested to be included in the proposed PDO District”; and (b) a general development plan. PDO proposals requesting enhanced density must also provide a rationale pursuant to Section 335-30(F)(3). This section addresses each Petition item in turn.

(a) Statement of Uses within PDO District

The PDO will consist of a single residential use: Elm Grove Heights, a proposed 75-unit independent senior apartment community that will feature a mix of one and two-bedroom apartment units, a clubroom with a full kitchen, an on-site leasing office, tenant storage, and heated underground parking. Elm Grove Heights will not offer services or meals to residents. The facility will operate like a traditional apartment community, except that the units will be rented to households consisting exclusively of residents aged 62 and better. While Elm Grove Heights will not provide medical assistance or other services, Horizon Management Services (“HMS”) will have an on-site property manager who will manage operations and coordinate resident activities to promote social engagement. HMS currently manages over 2,200 units of independent senior housing and our portfolio is over 98% occupied.4

Relationship to the Zoning Code and Adopted Master Plan:

As a residential use, Elm Grove Heights will depart from the Village’s Future Land Use Plan, which slates our site for commercial use. Multifamily is permitted by conditional use under the existing zoning district (B-3), but the scale of Elm Grove Heights requires that we request a rezoning to RM-2 with a Planned Development Overlay.

The PDO statute further requests that the Statement include the following 6 requirements:5

[1] Total area to be included in the PDO District, area of open space, the proposed number of dwelling units, together with the proposed residential unit density and details of supporting calculations in accordance with this § 335-30, projected population analysis with details that support the assumptions used to calculate same, requirements for and availability of municipal or school district services and any other similar data pertinent to a comprehensive evaluation of the proposed development.

Total Area:

87,094 square feet - just under 2 acres.

4 HMS’ complete multifamily portfolio is almost 3,000 units, also operating at 98% occupancy.
5 Village of Elm Grove Code of Ordinances, Section 335-30(G)(2)(a)[1]-[6].
Open Space:

The site’s northern 1/3rd consists of natural vegetation and a creek. We are proposing to leave this area entirely undisturbed to preserve the site’s natural features.

Proposed # of Dwelling Units:

75 units. 37.5 units per acre (75 units / 2 acres).

Projected Population Analysis:

Horizon senior apartments have an average occupancy of 1.12 persons per unit. The below table outlines the average age and number of residents at four comparable independent living properties at our Woodland Ridge senior campus in Greenfield, WI.

<table>
<thead>
<tr>
<th>Property</th>
<th># of Units</th>
<th>Average Age</th>
<th>Age Below 70</th>
<th>71-80</th>
<th>81-90</th>
<th>Over 90</th>
<th>Total Residents</th>
<th>Residents Per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crestview</td>
<td>76</td>
<td>80</td>
<td>11</td>
<td>17</td>
<td>42</td>
<td>14</td>
<td>84</td>
<td>1.1</td>
</tr>
<tr>
<td>High Grove</td>
<td>60</td>
<td>79</td>
<td>8</td>
<td>24</td>
<td>31</td>
<td>9</td>
<td>72</td>
<td>1.2</td>
</tr>
<tr>
<td>Hillcrest</td>
<td>40</td>
<td>76</td>
<td>14</td>
<td>13</td>
<td>9</td>
<td>9</td>
<td>45</td>
<td>1.1</td>
</tr>
<tr>
<td>Prairie Hill</td>
<td>69</td>
<td>76</td>
<td>18</td>
<td>18</td>
<td>28</td>
<td>10</td>
<td>74</td>
<td>1.1</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>245</strong></td>
<td><strong>51</strong></td>
<td><strong>72</strong></td>
<td><strong>110</strong></td>
<td><strong>42</strong></td>
<td><strong>275</strong></td>
<td></td>
<td><strong>1.12</strong></td>
</tr>
</tbody>
</table>

We therefore expect that Elm Grove Heights will contain approximately 84 residents (75 units * 1.12 residents per unit). We currently have an interest list for Elm Grove Heights of 72 people, 43 of which are Elm Grove residents.

School District Impact:

In accordance with the RM-2 zoning district, all residents must be over the age 62, so we do not expect any impact on school district. The property will pay real estate taxes to the school district, but will not be generating any students. We do, however, expect some indirect increase in the Elmbrook School District’s population resulting from turnover of Elm Grove’s housing stock. At least some Elm Grove seniors who move to Elm Grove Heights will sell their homes to young families with children who will attend Elm Grove public schools.

Municipal Service Impact:

We expect that some demand for municipal services will be generated by 75 units of housing. But as previously stated, we expect that many of our residents will be comprised of seniors who already reside in the Village, so we do not anticipate a significant increase in demand on municipal services.
[2] A general summary of the estimated cost of constructing public and private structures and site-related improvements, landscaping and special features.

Our current budget to purchase the land and building the project is $15,250,000.

Our plan contemplates the extension of municipal water from the northeast corner of Elm Grove Road and Bluemound Road up to our site’s eastern lot line. This will include the installation of two public fire hydrants: one at the southeastern corner of our site, and another just north of our building on the western side of the private drive (See Appendix 5 and the Stormwater Management and Utility Plan for exact locations). Current projections estimate the cost of these public improvements at $110,000. This cost will be borne entirely by the project and it is included in our total development cost figure.

[3] Details about the manner in which the owners will participate in the formulation and execution of the development agreement.

Horizon owners will negotiate the development agreement with the Village. Horizon owners will also be investing in the project.

[4] Details concerning the organizational structure of the property owners’ or management association proposed to be established for the purpose of providing any necessary continuing private services, implementation of the development agreement or administration of the project.

The project will be 100% owned by a single-asset limited liability company which will be controlled by Horizon owners. The owner LLC will contract directly with Horizon Development Group (“HDG”), Horizon Construction Group (“HCG”), and Horizon Management Services (“HMS”) to develop, build, and manage the property. HMS will oversee operations, organize the resident social calendar, and ensure compliance with ownership’s requirements in the development agreement, (e.g., verifying that all residents are 62 and over).

[5] Any proposed departures from the standards of development as set forth in the Village zoning ordinances other Village ordinances or applicable state or federal statutes or regulations.

Section 335-30(D)(2) allows PDO applications to request flexibility from “maximum building height, yard areas, lot dimensions, setbacks, and parking requirements” for the underlying district.

Density:

Base density in the RM-2 district is 16 units per acre, but projects may request an enhanced density of up to 38 units per acre as part of a Residential Planned Development Overlay. Elm Grove Heights is requesting an enhanced density of 37.5 units per acre. In granting a request for

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enhanced density, code requires that the Trustees and Plan Commission consider a number of factors. We address each of these items in Section III(c).

**Setbacks:**

The minimum side-yard setback in the RM-2 district is 20 feet. Elm Grove Heights is proposing a 13.38-foot setback for the western property line. Front, rear, and eastern side-yard setbacks all comply with code.

**Height**

The maximum height for the principal structure in the RM-2 district is 36 feet. Elm Grove Heights is proposing a 51’6” structure.

**Parking**

Elderly multiple-family housing requires a minimum of 1.5 stalls per unit. Elm Grove Heights is proposing 70 underground stalls (0.93/unit) and 18 surface stalls (0.24/unit) for an overall parking ratio of 1.17 stalls per unit (88 stalls / 75 units). Please see Appendix 7 to verify that this request is reasonable.

**Underground Parking**

Please see the attached documentation (Appendix 7) illustrating parking demand at 12 other independent senior properties in Horizon’s portfolio. These properties have an average of 0.94 underground stalls per unit, with approximately 21.2% remaining vacant. As a result, we expect at least 14 of Elm Grove Heights 70 underground stalls to remain vacant (70 * 21.2%).

**Surface Parking**

In preparation for this submittal, we also conducted a surface stall usage study at Crest View, a 76-unit independent senior building at our Woodland Ridge campus in Greenfield. The study indicated that, at any given time, an average of 6.3 surface stalls were occupied.

**Overall Parking Demand**

Our experience managing over 2,000 units of independent senior living makes us confident that the proposed ratio of 1.17 stalls/unit is more than adequate. As you can see from our parking analysis in Appendix 7, municipalities routinely approve independent senior parking ratios near 1.2 stalls/unit and that ratio is almost always more than is needed. The columns indicating

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8 Village of Elm Grove Code of Ordinances, Section 335-30(F)(3).
10 Village of Elm Grove Code of Ordinances, Section 335-21.1(G)(1)[a].
11 Village of Elm Grove Code of Ordinances, Section 335-32(j).
12 The study was conducted from 9:00am – 5:00pm on Wednesday, December 12th – Friday, December 14th and from 9:00am to 1:00pm on Saturday, December 15th.
“parking needed” purposefully overestimate the amount of parking needed by taking the occupied underground stalls and adding all surface stalls to that number. We know from our study that Crest View only needed an average of 6.3 surface stalls at any given time, so including 25 surface stalls in the “parking needed” calculation is more than conservative. But even by that conservative calculation, these 12 facilities only “need” an overall average ratio of 1 stall per unit, whereas Elm Grove Heights is proposing 1.17 stalls per unit. The below calculation applies the underground parking vacancy rate from Appendix 7 and the surface parking demand from our Crest View Study to illustrate the average expected parking vacancy at Elm Grove Heights as proposed:

Elm Grove Heights - Underground Vacancy Expectation:
- Underground Stalls – 70
- Horizon underground parking vacancy rate – 21.2%
- Expected underground vacancy – 14 stalls (70*21.2%)

Elm Grove Heights – Surface Parking Vacancy Expectation:
- Surface stalls – 18
- Average number of surface stalls occupied per Crest View Study – 6.3 (rounded up to 7)
- Expected surface vacancy – 11 stalls (18-7)

Total Vacant Stalls on Average:
- Underground – 14 stalls
- Surface – 11 stalls
- Total – 25 stalls

[6] A realistic development timetable, including all benchmark dates from commencement to completion of physical development of the proposed project.

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Projected Date for Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Obtain Entitlements</td>
<td>March 2019</td>
</tr>
<tr>
<td>Building Permit</td>
<td>June 2019</td>
</tr>
<tr>
<td>Construction Start</td>
<td>July 2019</td>
</tr>
<tr>
<td>Complete Construction</td>
<td>July 2020</td>
</tr>
<tr>
<td>Achieve Stabilization</td>
<td>June 2021</td>
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</tbody>
</table>
(b.) General Development Plan:

This section pairs with our architectural, civil, and landscaping design documents and addresses each of the code requirements for the PDO’s General Development Plan.¹³

[1] *A legal description of the boundaries of all property included in the proposed PDO District and its relationship to surrounding properties, including existing topography on the site with contours at no greater than two-foot intervals as part of an ALTA survey.*

Legal Description:

Lot 2 of Certified Survey Map No. 8351, being a redivision of Parcel 2 of Certified Survey Map No. 5703, being a part of the Southeast ¼ of the Northwest ¼, the Southwest ¼ of the Northeast ¼, and the Northwest ¼ of the Southeast ¼ of Section 25, Town 7 North, Range 20 East, in the Village of Elm Grove, Waukesha County, Wisconsin.

Relationship to Surrounding Properties:

The Elm Grove Heights parcel is surrounded by a mix of office and multifamily uses. Please see the attached “Parcel Rezoning Map” (Appendix 8) for all adjacent uses.

Existing Topography:

Please see the attached ALTA and Existing Conditions Surveys illustrating the site’s existing topography.

[2] *A detailed site plan for the entire PDO District showing:*

[a] The type, size, arrangement, including respective use(s) and location of any individual lots, building sites and proposed structures on each individual lot.

The PDO district will consist of 1 two-acre lot. The only structure on that lot will be the proposed 75-unit apartment building. Please see the attached site plan (Appendix 3) for additional details.

[b] The location of open space areas and areas reserved or dedicated for private or public uses, including, but not limited to, easements and drainageways.

The site’s northern third consists of natural vegetation and contains a drainage easement. This area will remain undisturbed.

[c] Landscaping, exterior lighting and signage.

¹³ Code requirements for the General Development Plan can be found here: Village of Elm Grove Code of Ordinances, Section 335-30(G)(2)(b).
Landscaping and Lighting Plans:

Please see the attached Landscaping (Appendix 6) and Lighting Plans (Appendix 4).

Signage:

While we have yet to design specific signage for Elm Grove Heights, the Civil Site Plan (Appendix 3) illustrates the proposed location for signage. The Elm Grove Municipal Code limits signage in nonresidential districts to 1 sign per lot,\(^{14}\) but there is no such limitation for residential districts. The proposed RM-2 zoning will accommodate our plan for two signs - one for Elm Grove Heights and one for Emerald Woods. We are proposing to relocate the Emerald Woods sign from its existing location to the eastern side of the entry drive. The Elm Grove Heights sign will then be constructed where the Emerald Woods sign is currently located.

\[d] \, \text{The location of public and private roads, driveways and parking facilities and the calculations used to justify the number of spaces proposed.}\]

Proposed Parking Ratio:

Overall Parking Ratio: 1.173 (88 stalls / 75 units)
- Underground stalls: 70 – 0.93 per unit (70 stalls / 75 units).
- Surface stalls: 18 – 0.24 per unit (18 stalls / 75 units).

Please see the attached parking submittal (Appendix 7) illustrating that the proposed ratio is more than adequate for 75 units of independent senior housing.

Public and Private Roads:

The site contains a single private drive that connects with Bluemound Road. Horizon is proposing to widen the existing 20-foot driveway to 26 feet at the entrance to Bluemound. We will then taper the 26’ width gradually down to the existing 20 feet north of the Elm Grove Heights structure. This private drive will be shared by Emerald Woods and Elm Grove Heights.

In the conceptual review process, the development team was asked to think creatively about adding another point for ingress/egress. Unfortunately, none of the neighboring lots were willing to grant an easement for an additional access point and the Department of Transportation will not allow a second curb cut on Bluemound Road. While we understand the concern over having one access point for 174 units (99 units at Emerald Woods and 75 units at Elm Grove Heights), we are confident that one access point will not cause safety concerns. Our Woodland Ridge senior campus in Greenfield is located on a major arterial (W Howard Avenue) and has one access point for 366 units of senior housing.\(^{15}\) In 17 years, we have only seen one accident at the ingress/egress point.


\(^{15}\) This campus contains 245 units of independent senior living that are occupied by 275 residents. The remainder of the campus contains assisted living, memory care, market rate condominiums, and units set-aside for the deaf.
[e] The existing and proposed location of public and private sanitary sewer and water supply facilities.

Sanitary Sewer:

The Village has an easement for an existing sanitary sewer pipe that runs diagonally across the northern third of the site. Village staff has confirmed that Elm Grove Heights will be able to connect.

Water Supply Facilities:

Horizon will be extending municipal water from the northeast corner of Elm Grove Road and Bluemound Road. The water line will be a 12” PVC pipe that will connect to a public fire hydrant that we will install at the southeast corner of our lot. We will connect to the public water line via a 6” lateral that will extend to a second public fire hydrant at the northeast corner of our building on the west side of the private drive. The Elm Grove Fire Chief has indicated that the installation of the second public hydrant will provide a significant improvement to the Fire Department’s ability to lay a hose to fight fires at the neighboring properties (e.g.s Emerald Woods, Douglas Plaza).

See Stormwater Management & Utility Plan (Appendix 5) for precise locations of proposed hydrants and utilities.

[f] The existing and proposed location of all other public and private utilities or other easements.

Please see the attached Stormwater Management and Utility Plan (Appendix 5).

[g] Characteristics of soils related to contemplated specific uses.

Horizon commissioned a geotechnical subsurface investigations report that revealed various mixtures of clay, silt, sand, and gravel. The existing soil conditions are suitable to support the proposed 75-unit building and we anticipate typical site work costs.

[3] Anticipated uses of adjoining lands in regard to roads, surface water drainage and compatibility with existing adjacent land uses.

Please see the attached Surface Water Drainage Plan (Appendix 5).

[4] Architectural plans, elevation and perspective drawings and sketches illustrating the character and design of all proposed structures.

Please see the attached architectural plans from JLA (Appendix 1).
(c) **Rationale for Enhanced Density**

Elm Grove Heights is designed at a density of 37.5 units per acre (75 units / 2 acres). Pursuant to the RM-2 zoning district, the Board of Trustees may grant an “enhanced density” of up to 38 units per acre as part of the Residential PDO evaluation process.\(^{16}\) To be eligible for “enhanced density,” the PDO statute requires that the project be of “exceptionally high quality, comparable to the highest quality tier” of residential units in the Village.\(^{17}\) In considering a request for enhanced density, the Village Board of Trustees considers the criteria listed below. Our Petition addresses each standard in turn.

1. “Whether the project will provide better utilization of the land and better preservation of natural resources than would otherwise be realized if the site were developed either in conformity with the density requirements of the underlying district or as a PDO District without an enhanced density;”

- High density residential will support the high cost to acquire and develop this parcel with a use that will maintain consistent occupancy. High traffic counts on Bluemound yield high land costs and high commercial rents, which together have produced many vacancies in commercial and retail properties on Bluemound. The Property is one of the only vacant parcels in the Village and is highly underutilized. While permitted uses in the B-3 district (e.g., hotels, motels, fitness center, retail, etc.) will face the same struggles to achieve feasibility and maintain occupancy, a residential use with enhanced density will support the high cost of developing this parcel. Elm Grove Heights will generate consistent, significant tax dollars with a minimal impact on Village resources.

- Senior housing is more compatible with the Emerald Woods Condominium Association (“EWCA”) to the north than other uses in the B-3 district (e.g., hotels, motels, fitness center, retail, etc.). The Elm Grove Heights property has granted an access easement to the EWCA and Wis DOT will not allow another curb cut for this location. As a result, the EWCA must share a single access point with whatever use develops this parcel. Independent senior housing is a low-impact use that pairs well with residential condominiums and will generate less traffic than other uses in the B-3 district.

- By granting a re-zoning and enhanced density, Elm Grove Heights will be able to achieve feasibility and bear the cost of requested public improvements. The Village has requested that Elm Grove Heights extend municipal water from the northeast corner of Bluemound and Elm Grove Roads. As discussed, the costs of developing parcels on Bluemound Road are already extraordinary and enhanced density will allow Elm Grove Heights to construct the requested public improvements. The extension of municipal water will benefit the Village long-term by providing surrounding businesses and condominium uses the option to

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\(^{17}\) See Section 335-30(F)(3)(a). The Village of Elm Grove Code of Ordinances.
connect to municipal water. In addition, we will be installing a fire hydrant at the north end of our development which will be in proximity to both Emerald Woods and Douglas Plaza Condominium developments. This greatly improved access to municipal water for fighting fires will increase the safety for both the condominium residents and for firefighters.

- The Elm Grove Heights plan maintains the greenspace along the northern third of the Property, with a setback of 179 feet from the nearest Emerald Woods building. This will remain a natural woodland which will protect the stream running through the Property.

(2) "Whether the project makes adequate provision such that an increase in residential density will not have an unreasonable adverse effect on neighboring properties, existing and/or proposed public rights-of-way and/or municipal and other public services as a result of the type, intensity and frequency of the use(s) associated with the proposed project;"

- Our design has many features to minimize the impact on Emerald Woods Condominium Association. (1) We are rebuilding and widening the shared access drive at no cost to Emerald Woods and will be sharing road maintenance costs in the future. (2) The widened entry drive will improve emergency vehicle access to our site and to Emerald Woods. (3) We will be constructing a service drive on the northern side of the our building that will assist with move-ins, fire department accessibility, and U-turns by service vehicles. (4) We will be installing stop signs at our motor court and garage exits with a warning indicator light at our garage exit to alert Emerald Woods residents to cars exiting our parking garage. (5) We are including wider tapers from the drive to the public right of way entrance on Blumound Road to facilitate ingress/egress. (6) We will be installing improved entry drive street lighting to enhance safety. (7) We will be installing an attractive “Private Property” sign at the end of our property indicating that only owners and guests may enter the Emerald Woods Property. (8) We will be improving the landscaping along the east property line of Elm Grove Heights to screen the adjacent commercial use.

- Senior housing will have a lower impact on traffic than business or retail uses permitted under B-3. Blumound Road is designed to support high volume traffic and, even at higher density, senior housing has a low-impact on surrounding properties. Horizen’s internal traffic statistics show an average of less than one auto trip per 12 hour day per apartment unit for comparable properties. Demographic data from Horizen’s 30 years of senior housing experience indicates that our average occupancy at Elm Grove Heights will be only 1.1 persons per unit, which will result in a minimal increase in traffic circulation. The average age of our residents at move in will be 76, and only about 75% will have cars. Finally, we contacted the Department of Transportation, who indicated that 75 units of senior housing would not requiring a traffic study due to low traffic volume generated.
• As for Village services, our pledge to extend municipal water will only make it easier for adjacent properties to connect to municipal water in the future through a cost-sharing agreement.

(3) "Whether the structures proposed for the project are harmonious with existing surrounding structures and land uses;"

• Currently, 18 parcels with multifamily uses or zoning exist within 1,000 feet of our location, including three adjacent parcels to the north, northwest, and northeast.

• Our architect, Dale Streitenberger, an Elm Grove resident, and a Principal with JLA Architects has studied the surrounding building carefully to ensure that the design of Elm Grove Heights is attractive and harmonious with the existing structures. The residential character of our design blends well with the surrounding multifamily uses and our anticipated building height is lower than the Building Trades Association building immediately to the west. Approaching traffic from the east will have a nearly identical aesthetic to the current view, and traffic approaching from the west will be unable to see our building until they pass the Building Trades Association building.

(4) "Whether building materials have been selected and are proposed to be utilized in a manner that is harmonious with the natural environment and the general character of other buildings and structures in the vicinity of the proposed development;"

• Our architect, JLA Architects has selected multiple materials which are harmonious with the surrounding building and which are comparable to other multifamily properties in the Village. The building materials will include ground face block to create a building base; two colors of brick masonry; long lasting cement board siding; extensive architectural detailing on the facades; metal roofing at the building entrance; and a residential style shingle roof.

(5) "Whether the proposed project will result in the construction or upgrading of specific public infrastructure improvements that will benefit the public without cost to the Village;"

• The Village is requesting that we connect to municipal water. Elm Grove Heights will pay for this at no cost to the Village. Connecting to municipal water will require us to extend a 12” PVC water line from the northeast corner of Bluemound and Elm Grove Road to our eastern lot line. Any future redevelopment of properties to our east will be able to connect to municipal water by entering a cost-sharing agreement with Elm Grove Heights'. In addition,
adjacent properties which are not currently connected to municipal water will be able to do so in the future.

- We will be installing a public fire hydrant at the north end of our development which will be a significant upgrade in the ability of the fire department to fight fires in the area.

(6) "Whether the proposed project will enhance an existing structure that is deemed beneficial to the character of the neighborhood where it is situated."

- While not directly applicable, our project will redevelop one of the most underutilized parcels in the Village – a vacant lot on Bluemound which has been vacant for many years. Elm Grove Heights will be a very attractive building which will enhance the values of adjacent properties.
IV. PDO Evaluation Criteria

The Elm Grove Municipal Code lays out specific criteria for the Village Board and Plan Commission in their respective evaluations of a request for a Planned Development Overlay.\(^\text{18}\) We will address each in turn.

\(1\) The Village Plan Commission, in making its preliminary and final recommendation on the petition, and the Village Board, in making its determination, shall consider whether each of the following criteria are satisfied:

\(a\) Whether the petitioner(s) for the proposed Planned Development Overlay District has demonstrated:

\[1\] An intent and ability to begin the physical development of the PDO District within 18 months following the approval of the petition; and

As is demonstrated by the schedule illustrated in the re-zoning Petition, we intend to start construction within 4 months of obtaining entitlements. We have developed 88 housing projects in 34 years and we are confident that this schedule is reasonable.

\[2\] That the necessary financial resources to carry out the project in strict conformity with the development agreement have been obtained and committed.

Horizon has 34 years of experience in developing and financing senior housing. Our primary lenders - Old National Bank and Dubuque Bank & Trust –are both eager to finance this project. Typically, lenders and equity investors want to see that municipal entitlements are in place before funds are committed. Horizon has developed over 4,200 units of independent senior living across 78 projects.

Our track record as a developer speaks to our ability to construct and operate Elm Grove Heights in strict conformity with the development agreement. We are happy to provide references at the Village’s request.

\(b\) Whether the proposed Planned Development Overlay District is consistent in all respects with:

\[1\] The purpose of this section and the spirit and intent of this chapter; and

Consistency with Intent of Zoning Chapter:

The Elm Grove Zoning Code is intended to regulate and restrict the use of all structures, lands, and waters to promote the Village’s well-being.\(^\text{19}\) Elm Grove Heights is consistent with the

\(^{18}\) See Village of Elm Grove Code of Ordinances, Section 335-30(H)(1) & (2). See also Section 335-30(H)(3) for supplemental considerations for evaluating a Residential PDO request.

\(^{19}\) See Village of Elm Grove Code of Ordinances, Section 335-2 & 3.
zoning code’s intent because it is thoughtfully-designed and it will address one of the Village’s greatest housing needs.

Over 34% of Elm Grove’s population is already over the age of 64 and the US Census Bureau anticipates that the senior demographic will continue to expand as the baby boomer generation ages.²⁰ Despite an already robust senior population, there are no independent living options for seniors in the Village. Elm Grove Heights will allow Village seniors to sell their homes and remain in the community and it will position the Village to meet the housing demand for the expanding senior demographic.

Consistency with Intent of Planned Development Overlay Section:

The Elm Grove Municipal Code states that the PDO District is intended to utilize coordinated site planning efforts to provide design flexibility for high quality projects that are consistent with the use requirements of the underlying zoning district.²¹

Consistency with Use Restrictions:

An independent senior living community is consistent with the use restrictions of both the underlying and proposed zoning districts: multi-family is permitted by conditional use under current zoning (B-3) and independent senior living facilities are by right under the proposed zoning (RM-2).

Quality:

The PDO process guarantees that Elm Grove Heights will set the standard for residential quality. As part of our Residential PDO, we will be requesting enhanced density, which may only be awarded if the project “meets or exceeds” the highest quality residential comparable in the Village. We have designed Elm Grove Heights to meet or exceed the quality of Heritage Elm Grove and the Watermark Condominiums.


The Village’s Future Land Use Plan slates our site for commercial use. We believe, however, that our request is consistent with the Village’s Comprehensive Plan because it addresses the need for independent senior housing and our use is complementary to the surrounding properties.

(2) The Village Plan Commission, in making its preliminary and final recommendations, and the Village Board, in making its decision on any proposed PDO District, shall consider the following criteria:

(a) The development will not be contrary to the general welfare and economic prosperity of the community.

²¹ See Village of Elm Grove Code of Ordinances, Section 335-30(A).
Elm Grove Heights will have a positive economic impact on the Village by creating new tax revenue and jobs and promoting turnover of the existing housing stock. New construction and property management jobs will stimulate economic growth and the influx of workers will support local businesses. Village seniors will sell their homes to the next generation of Elm Grove’s home owners.

Elm Grove Heights will also generate significant tax revenue and extend municipal water without requesting financial support.

(b) The proposed site is being provided with adequate drainage facilities for surface and storm waters.

Elm Grove Heights’ stormwater and surface drainage facilities are designed to meet MMSD and state law requirements. They will ensure that storm waters are properly treated and released gradually into the drainage easement on the northern 1/3rd of the site. In addition, we will install curb and gutter along the newly-rebuilt entry drive that will significantly improve current surface drainage conditions. Please see the attached Stormwater and surface drainage plans (Appendix 5).

(c) The proposed site is accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.

Elm Grove Heights’ will be located on Bluemound Road - a major arterial that is designed to handle a high volume of traffic. The Department of Transportation indicated that they are comfortable with Bluemound’s ability to handle the traffic generated by 75 units of independent senior housing, and DOT will not require a traffic study.

(d) No undue constraint or burden will be imposed on public services and facilities (such as fire, EMT and police protection), street maintenance, maintenance of public areas near the proposed development and/or educational facilities.

Public Services:

We anticipate that the majority of Elm Grove Heights future residents will be comprised of existing Elm Grove residents who wish to remain in the community when they sell their homes. We therefore expect a minimal increase in demand for public services.

In addition, the building will feature the following fully-sprinklered for fire protection purposes. It will also be fully-accessible and will feature a large cab elevator.

Public Facilities:

By extending municipal water and installing two public hydrants, our design will improve the Fire Department’s ability to fight fire in the surrounding area.
Public Maintenance:

The private drive on-site will be privately maintained.

The only public amenity in the surrounding area that may experience an increase in use is the Underwood Creek Trail. We expect that Elm Grove Heights residents will find proximity to the trail as an attractive amenity. However, the average age of residents at comparable Horizon properties is over 77. While our residents usually lead a fairly active lifestyle, we do not anticipate an undue increase in the Village’s maintenance responsibilities.

Educational Facilities:

We expect no impact on the Elmbrook School District.

(e) The private roads and driveways on the site of the proposed development are adequate to serve the users of the proposed development.

We are confident that the single private drive on-site will be adequate despite an increase in density. At Horizon’s Woodland Ridge senior campus in Greenfield, a single private drive serves over 400 residents (275 independent living residents) across 366 units and we have only seen one accident at that facility in 17 years. Elm Grove Heights’ private drive is currently 20’ wide and serves 99 units. We are proposing to widen the existing road from 20’ to 26’ to improve ingress/egress at Blumound Road. While the drive will serve an additional 75 units, independent senior housing has a low per-unit occupancy and is a relatively low-impact use. We expect approximately 84 residents to occupy Elm Grove Heights and comparable Horizon properties only generate an average of 1 trip per-unit, per 12-hour period.

(f) Public sanitary sewerage facilities are adequately provided.

Village staff has indicated that Elm Grove Heights will be able to connect to the existing sanitary pipe on-site.

(g) The entire tract or lots to be included in a Planned Development Overlay District is subject to the terms and conditions of the development agreement, and the legal description encompasses said PDO District as a single area, shows all of its component lots and has been prepared to be recorded with the Register of Deeds for Waukesha County.

The PDO will encompass the entire Elm Grove Heights lot and it will be subject to the terms and conditions of the development agreement. As the PDO will consist of only one lot, the existing legal description already encompasses the PDO district as a single area, and it will be recorded with the Register of Deeds for Waukesha County.
(h) The proposed project will be adequately served by appropriate off-street parking.

As discussed, we are proposing an overall parking ratio of 1.17 stalls per unit. Section 335-32(J) of the Elm Grove Municipal Code requires 1.5 stalls per unit for Elderly multifamily housing. Please see the attached materials illustrating 12 comparable Horizon properties with similar parking ratios that have considerable parking vacancy.

(i) The architectural design, landscaping, control of lighting and general site development will result in an attractive and harmonious project compatible without unreasonably affecting the property values of the surrounding neighborhood.

Our design incorporates a number of techniques to blend with the architectural themes in the surrounding area. From a massing standpoint, the Building Trades Association to the west is actually 1.5 feet taller than Elm Grove Heights, and we chose to scale the building down to three stories along the private entry drive to emphasize a transition to east and enhance the residential aesthetic. We also chose a gabled, shingle style residential roof to mirror Emerald Woods. Finally, we intend to include ample landscaping along the east side of the entry drive to create a private, attractive approach for Elm Grove Heights and Emerald Woods residents.

Please see the attached design materials for evaluation.

(j) The locations for entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets and that the development will not create an unreasonable adverse effect upon the general traffic pattern of the surrounding neighborhood.

The entrance to Elm Grove Heights will be at the existing curb cut approved by Wis DOT and Wis DOT will not allow a second curb cut. There is, however, a full “non-traffic” lane that residents will be able to use for ingress/egress.

As discussed, the Department of Transportation feels that 75 units of independent senior housing will not cause traffic concerns on Bluemound and they will not be requiring a traffic study. Our Woodland Ridge campus in Greenfield serves 366 units with a single, private drive. In our experience, the traffic volume generated by our use will not pose traffic concerns on the private drive or Bluemound Road.

(k) Provision has been made for the adequate and continuing operation and maintenance of all aspects of the project.

Horizon Management Services (“HMS”) currently manages almost 3,000 units in Wisconsin, Iowa, and Illinois and will serve as the property manager. HMS prides itself on meticulous, value-preserving management practices and their portfolio is over 98% occupied. Horizon’s involvement in the ownership and management of the property will ensure that we have a continued interest in the project’s success for years to come.
(l) The proposed project has, where applicable, been examined with respect to its compatibility with the nonmandatory Downtown Overlay District Site Design Guidelines set forth in § 335-12G.

The subject site is not located within the Downtown Overlay District.

(3) In the case of a proposed PDO District with residential uses, the Village Plan Commission, in making its preliminary and final recommendations, and the Village Board, in making its decision on any proposed PDO District, shall also consider the following:

(a) Such development will provide an attractive residential environment of sustained desirability and economic stability.

Our 34 years of experience has yielded a refined approach to developing senior housing that focuses on creating a community-oriented environment. With nearly 3,000 units in our portfolio, we are able to apply a data-driven approach to design and operations that creates an exciting place to live. In preparation for the entitlements process, Horizons conducted a senior housing survey to gauge interest for the proposed location. We have over 72 people on our interest list, 43 of whom are residents of Elm Grove.

(b) The impact of the population composition of the project upon the school district’s capacity to provide needed educational services.

Senior housing will not have an impact on the Elmbrook School District’s population. It will, however, generate property taxes that can be used to support Elmbrook’s operations.

(c) Permanent preservation of open space areas as shown on the approved site plan is ensured by the creation of appropriate easements and recorded deed restrictions.

As discussed, the site’s northern 1/3rd will remain undisturbed to preserve natural vegetation. This area already contains drainage and sanitary easements, but we are happy to enter into a new agreement with the Village to memorialize our intent to leave the area undisturbed.

(d) The proposed mixture of uses produces a unified composite which is compatible within the underlying districts and which, as a total development entity, is compatible with the surrounding neighborhood.

We are proposing an exclusively residential use that fits in well with the character of the surrounding area. There are 18 parcels of land within 1,000 feet that are zoned for multifamily, including several that front Bluemound Road.
V. Appendices

Table of Appendices

1. Proposed Building Plans and Existing Building Plans (Architectural)
   a. Required components per the Elm Grove Development Submittal Checklist:
      i. Scaled architectural plans showing all exterior elevations noting colors and materials;
      ii. General floor plan for all new buildings;
      iii. Drawings should provide sufficient detail to indicate the architectural design of the proposed buildings.

2. ALTA and Existing Conditions Surveys
   a. Included Per Section 335-30(G)(2)(b)(1).

3. Proposed Site Plan
   a. Required components per the Elm Grove Development Submittal Checklist:
      i. Location and dimensions of proposed structures, including total building footprint area;
      ii. Distance of structures to all lot lines;
      iii. First floor elevations and first floor grades;
      iv. Location and grade (measured at nearest building corners) of neighboring structures;
      v. Adjacent properties and their uses;
      vi. Proposed streets, driveway, sidewalks, and other pedestrian or vehicular circulation facilities, including widths;
      vii. Parking areas including total number of parking spaces;
      viii. Total acreage of the proposed building site;

4. Proposed Lighting Plan
   a. Required components per the Elm Grove Development Submittal Checklist:
      i. Lighting Plan including: location, height, design, type, and power of all exterior lighting.

5. Proposed Surface Water Plan & Stormwater Management
   a. Requirements per the Elm Grove Development Submittal Checklist:
      i. Surface water drainage plan illustrating how additional runoff caused by the new structure will be accommodated so as not to adversely impact neighboring properties;
ii. Identify existing drainage conditions in gray-scale and proposed drainage conditions in black ink;
iii. Topographic contours are to be shown in intervals not exceeding two feet;
iv. Storm water management facilities;
v. Location of construction erosion control

6. Landscape Plan
   a. Requirements per the Elm Grove Development Submittal Checklist:
      i. Location of all new plantings and existing plant materials;
      ii. List of the number, species, and size of plant materials at installation;
      iii. Tree Inventory:
          1. Trees more than 12 inches in diameter at chest height on the property;
          2. Trees more than 6 inches in diameter on Village right-of-way;
          3. Trees that will be removed and trees that will remain.

7. Re-zoning Map Submitted to the Board of Trustees
   a. Requirements per the Elm Grove Development Submittal Checklist:
      i. Plot plan where 1” = 100’ showing:
         1. Area to be re-zoned;
         2. Location of property;
         3. Dimensions of property;
         4. Location and classification of existing, adjacent zoning districts;
         5. Location and existing use of properties within 300’ of property to be re-zoned.
February 12, 2019

Mr. Tom Harrigan  
Zoning/Planning Administrator  
Village of Elm Grove  
13600 Juneau Boulevard  
Elm Grove, WI 53122

Re: Formal Request to Re-zone 13040 W Bluemound Road to Rm-2  
& to Amend the Comprehensive Plan

Dear Mr. Harrigan,

On behalf of Horizon Development Group, Inc., please accept the below update to the Elm Grove Heights re-zoning application. We appreciate your diligence and flexibility thus far in review of our proposal and we have refined our design to address the Village’s primary concerns.

To aid the Plan Commission’s second review of our proposal, we have included the following items:
- (1) Request;
- (2) Amendments to the Planned Development Overlay Petition and the General Development Plan;
- (3) Amended Civil and Architectural Site Plans;
- (4) Amended Floor Plans and Basement Plan;
- (5) Amended Appendix 7 – Market Rate Independent Senior Parking Analysis;
- (6) Appendix 9 – Fire Department Turnaround Exhibit;
- (7) Appendix 10 – Extraordinary Event Parking Plan. Any amendments should function to replace the applicable portions of corresponding sections in the original re-zoning request.

If you have any questions or concerns, please reach out to (608) 354 – 0843 / w.rutherford@horizondbm.com. Thank you in advance for your time and consideration.

Sincerely,

[Signature]

Will Rutherford  
Development Associate

Cc: Philip Schultz
(1) Request

With this amended submittal, the development team requests the Plan Commission’s recommendation to approve our re-zoning request for 13040 W Bluemound Road, Elm Grove, WI 53122, subject to the conditions provided for in the Village’s Engineering Review and the final development agreement.
(2) Amendments to the Planned Development Overlay Petition and General Development Plan

Setbacks (replaces setbacks section on page 8 of re-zoning request submitted on 12-17-2018):

The Rm-2 district’s side-yard setback requirement is 20 feet. Our original re-zoning request proposed a setback from the western property line of 13.38 feet. Elm Grove Heights is now proposing a setback from the western property line of 14.33 feet.

Parking (replaces parking section on pages 8 and 11 of re-zoning request submitted on 12-17-2018):

Code Requirements and Proposed Parking

The Board of Trustees adopted an amendment to the ordinance that defines the parking requirements for “Independent Senior Living (as defined in Rm-2 Multi-family Residential).” Code now requires 1.1 stalls per unit.¹

Our original re-zoning request (on 12-17-2018) proposed a parking ratio of 1.173 stalls per unit (88 total stalls / 75 units, with 70 underground stalls and 18 surface stalls), which now complies with the parking requirements for Independent Senior Living. We have, however, refined our design to increase parking. Please review the amended architectural and civil site plans and basement plan, which together demonstrate our adjusted, proposed parking ratio of 1.186 stalls per unit (71 underground stalls and 18 surface stalls - 89 total stalls / 75 total units = 1.186 stalls per unit).

While our proposed ratio now complies with the parking requirement for Independent Senior Living (1.186 stalls per unit exceeds 1.1 stalls per unit), we are also proposing a future parking area north of building in the event the Village determines in the future that Elm Grove Heights contains inadequate surface parking. Village staff and the development team are determining the circumstances under which the Village can request the installation of the Future Parking Area as part of the development agreement negotiation process. If Future Parking is installed, Elm Grove Heights will have an overall parking ratio of 1.37 stalls per unit (71 underground stalls + 18 surface stalls and 14 banked surface stalls - 103 total stalls / 75 units).

Extraordinary Event Parking Plan – Appendix 10

In the initial Plan Commission meeting on January 7th, the Village requested that the development team submit an “Extraordinary Parking Plan” to account for overflow guest parking

¹ See Minutes from Board of Trustees Meeting on January 28, 2019, Item 12(E).
on holidays like Mother’s Day. Please see Appendix 10 for the details of the Elm Grove Heights Extraordinary Parking Plan.

*Market Rate Senior Housing Statistics – Amended Appendix 7*

The Plan Commission also requested that the development team submit updated senior housing parking statistics for market-rate-only properties in Horizon’s portfolio. We submitted the Amended Appendix 7 to the Village to aid the Legislative Committee’s decision to amend the Independent Senior Living parking requirements. As discussed, the Board of Trustees adopted an amendment to reduce the overall parking requirement for Independent Senior Living to 1.1 stalls per unit.
(3) Amended Civil and Architectural Site Plans

Please see the attached Civil and Architectural Site Plans, which together with the basement plan demonstrate the amended number of proposed parking stalls.
(4) Amended Floor Plans and Basement Plans

Please see the attached floor and basement plans.
NOTE: PER VILLAGE OF ELM GROVE ORDINANCE, MINIMUM 1 BEDROOM UNIT SIZE TO BE 700SF.
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These documents reflect progress and intent and may be subject to change, including additional detail. These are not final construction documents and should not be used for final bidding or construction-related purposes.
(5) Amended Appendix 7 – Market Rate Independent Senior Parking Analysis

Please see the attached amendment to Appendix 7 illustrating the parking demand for market-rate-only independent senior living properties in Horizon’s portfolio.
Senior Independent Living Housing
Market Rate Parking Ratio Analysis

Horizon properties and that are fully leased with stabilized occupancies.

Appendix 7 (Amended)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Res'1 Units</th>
<th>Average Age</th>
<th>Surface Parking</th>
<th>Underground Parking</th>
<th>Total Parking</th>
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<td>Stall Count</td>
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<td>Stall Count</td>
<td>Per Unit</td>
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Conclusions:
1. The surface parking ratio for existing properties is .38 spaces per apartment, whereas Elm Grove Heights will provide up to .43 spaces per apartment.
   (18 motor court plus 14 banked spaces = 32 parking spaces)
2. The comparable properties have .75 underground parking spaces per unit, whereas Elm Grove Heights will have .93 spaces per unit.
3. Overall parking is 1.14 spaces per unit at the comparables, whereas Elm Grove Heights will have up to 1.37 parking spaces per unit.
4. Based on the comparables, considering vacancy in the underground parking, the overall parking ratio required is 1.0 spaces per apartment.
(6) Appendix 9 – Fire Department Turnaround

Please see the attached appendix from Excel Engineering illustrating that the proposed fire department turnaround is adequate for a 40’ fire truck to perform a Y-turn.
(7) Appendix 10 – Extraordinary Event Parking Plan

Please see the attached plan for Extraordinary Event Parking.
EXTRAORDINARY EVENT
PARKING PLAN
Appendix 10

The purpose of this parking plan is to provide adequate visitor parking at Elm Grove Heights in the unlikely event, such as Mother’s Day, that more visitors with automobiles are at the property than the twenty surface parking spaces can accommodate.

Elm Grove Heights will be professionally managed by Horizon Management Services which will have an office at the property for the property manager. The property manager will monitor use of the parking court and if there are times during the year that result in heavy use of the visitor parking, then the Extraordinary Event parking plan will be implemented.

One week prior to Mother’s Day, Father’s Day, Thanksgiving, and Christmas (Extraordinary Event) the property manager will survey the residents to determine who will be expecting visitors and at what times. If it is determined that more than fifteen cars may be in the 20-space parking lot in front of the building at one point in time, then the following extraordinary parking plan will be implemented.

**OPTION A.** It is anticipated, based on factual data from other Horizon properties, that between 10% and 20% of the underground parking spaces will not be occupied. This means that between 7 and 14 parking underground spaces will be vacant and available for visitor parking. The list of available underground visitor parking spaces will be posted outside the property manager’s office. If these spaces are needed for overflow parking, then the Elm Grove Heights resident will open the parking garage door so that their visitor can park in a vacant underground parking space. This option will increase the total available visitor parking to between 27 and 34 parking spaces. Horizon parking data shows that this should be more than adequate parking for visitors.

**OPTION B.** If the Extraordinary Event surveys indicate that more parking is needed than can be accommodated through OPTION A, then the property manager will request that the residents contact their visitors to see which visitors can carpool or leave their cars at nearby public parking and either walk or carpool over to Elm Grove Heights. There is ample public parking available on Underwood Parkway which is a 10-minute walk to the east on a public sidewalk. And there is public parking at Krueger Park which is an 11-minute walk to the south on a public sidewalk.

**OPTION C.** In the unlikely event that more parking is needed for visitors than can be accommodated through OPTION A and OPTION B, then the property manager will schedule a small passenger van or ride service to shuttle visitors from public parking in the area. In addition, Horizon has contacted a number of the consumer-oriented businesses in the immediate vicinity, such as Starbucks, which have indicated that they always have surplus parking and would be happy to accommodate our visitors from time to time. This creates a good opportunity for Elm Grove Heights to cross market with our business neighbors.
February 6, 2019

Mr. Thomas Harrigan  
Zoning and Planning Administrator  
Village of Elm Grove  
13600 Juneau Boulevard  
Elm Grove, WI  53122-0906

Re:  13040 W. Bluemound Road  
Redevelopment Plan Review

Dear Mr. Harrigan:

As requested, we have reviewed the documents submitted to the Village for the redevelopment of the lot at 13040 W. Bluemound Road into a multi-story, 75-unit senior apartment building. These documents were submitted to meet the requirements of the Village Code. Our findings and recommendations are as follows:

1. Previous Development: The air photo taken in 1980 shows the property was previously developed with multiple buildings. The air photo taken in 1990 shows the previous development was demolished. Periodic air photos taken since 1990 shows the property has remained undeveloped to today. We have no record of the previous development, use or demolition of the site. During our meeting on May 3, 2018 the developer indicated a Phase 1 environmental assessment report was in progress. A copy of the final report will need to be provided to the Village.

2. Wetlands: Mapping from the Wisconsin Department of Natural Resources (DNR) Water Surface Data Viewer website shows wetland indicators exist across a portion of the property at the north end. In addition, the mapping also shows an unnamed waterbody exists at the north end of the property. The water body may be navigable and is likely to have wetlands associated with the bank area. Wetland and waterways cannot be impacted unless approved by DNR and possibly the Army Corps of Engineers also. The applicant will need to contact a representative from DNR to determine the following:

   a. Is a wetland investigation or delineation necessary for this project?
   b. Does a navigability and Ordinary High Water Mark (OHWM) determination need to be conducted for this project?
   c. Does an endangered resources review need to be completed for this project?
Mr. Thomas Harrigan  
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d. The width of the protective buffer around any wetland.  
e. The setbacks from any Ordinary High Water Mark (OHWM).  
f. Does the Army Corps of Engineers need to be involved in approving this project?

3. Floodplain:
FEMA Map No. 55133C0237G that was effective on November 5, 2014 shows a Zone A floodplain boundary on the subject property. Zone A floodplains have not been studied. Therefore, there are no Base Flood elevations and the boundary shown on the FEMA map is approximate. Several of the redevelopment plan drawings show and label this floodplain. The label says the boundary line was scaled from the FEMA drawings. However, the boundary appears to be reasonable.

Most of the proposed improvements are shown to be located outside of the approximate Zone A floodplain boundary. Any construction or disturbance within the floodplain boundary will need to be restored to its original condition and cannot be filled without a floodplain analysis and a LOMR from FEMA.

4. Sanitary Sewer Service:  
According to the sanitary sewer as-built drawings an existing 8-inch diameter sewer bisects the property within an easement at the northern end of the lot. The as-built drawings also show that a lateral connection was provided approximately 135 feet east of the existing sanitary manhole located on the 500 Elm Grove Road property. It is unknown if this lateral connection was ever used or if it exists today.

The redevelopment plan shows the new building will be served by a new sanitary lateral connection at a point that is approximately 30 feet west of the as-built drawing connection point. A new connection of the lateral to the existing sanitary sewer will need to be watertight.

The applicant will need to abandon any existing lateral connections that are not used per Section 232-8 of the Village Code. The existing sanitary lateral will need to be severed from the main and a watertight seal placed at the main connection. The abandonment will need to be inspected and tested to the satisfaction of the Director of Public Works.

The proposed development plan calls for construction of 75-unit apartment building. According to the redevelopment plan there appears to be 22 single bedroom apartments and 53 two-bedroom apartments. According to calculations confirmed by MMSD, the proposed apartment building will generate approximately 36,200 gallons of sewage per day. Representatives from MMSD agree that there is enough available sewage flow allocation.
within Sewershed EG 3007 to accommodate the proposed development according to the 2020 Facilities Plan.

The results of my desktop analysis shows that the existing 8-inch diameter sewer downstream of the property has enough remaining capacity to serve the proposed development. I am not able to properly evaluate the remaining capacity in larger diameter sewers downstream of the 8-inch sewers in the desktop analysis. The best way to determine remaining capacity in larger sewers is through monitoring actual existing flows in the pipeline during dry and wet weather conditions.

5. Public Water Service:
The redevelopment plan shows a new water main will be extended from the northeast corner of Elm Grove Road and Bluemound Road along the south side of the property at 500 Elm Grove Road and the south side of the subject property. Correspondence from the site design engineer at Excel indicated the developer is considering changing the alignment of the water main to be along side the existing water service for the property at 500 Elm Grove Road. The proposed new alignment will be on private property to avoid conflicts with multiple utilities that are currently located in the public right-of-way of Bluemound Road. The design engineer asked if either alignment would be acceptable to the Village of Elm Grove.

After some consultation with Village Staff a decision was made that the water main could be constructed in the public right-of-way as originally proposed or the water main could be constructed in an easement granted by the property owner of 500 Elm Grove Road to the Village of Elm Grove. The design engineer was told that regardless of which option is chosen the following items will be necessary:

a. The new public water main will need to be turned over to the Village of Elm Grove who will then turn it over to the City of Brookfield because the City is the current owner and operator of the water system in Elm Grove.
b. The water main extension will need to be designed in accordance with City of Brookfield standards.
c. The City of Brookfield will need to approve the design and the proposed easement.
d. The new public water main shall be at least 12-inches in diameter. However, the final water main sizing will need to be approved by the City of Brookfield and the Village.
e. The City of Brookfield will likely require the property owner to pay City for inspection services during construction of the water main extension.
f. As-built drawings of the new public water main will need to be prepared according to the City of Brookfield standards.

g. We recommend the existing water service line be shortened by abandoning portions that parallel the new public water main. The water service connection for 500 Elm Grove Road should be moved farther east.

The existing survey drawing (Appendix 2) shows the property is currently served by an existing well. Since the redevelopment plan shows the new building will be served by a public water main extension, the well will need to be abandoned in accordance with Village Code Chapter 283 and WDNR Administrative Code NR812.

The public water main extension will need to be approved by the Department of Natural Resources. The applicant will need to prepare fire flow calculations for the water main extension as part of the approval application submittal. Alternatively, the applicant may coordinate with the City of Brookfield to determine if they will provide the calculations.

During our meeting on May 3, 2018 there was discussion that the Emerald Woods development to the north would also desire to have municipal water service. If there is a chance that the proposed water service will serve an additional development, then the City of Brookfield will need to determine if the water service line should be constructed as a public water main located in an easement. In addition, fire flow calculations and sizing will need to take this potential into account.

6. Appendix 1 (Concept Plan): It is noted that information on the concept plan may or may not agree with other drawings in the redevelopment plan drawing set we reviewed. We understand other drawings will take precedent over the concept drawing whenever discrepancies are found.

7. Appendix 1 (Conceptual Units Layout): The underground parking layout needs to be revised to show overall and parking space dimensions.

8. Appendix 2 (ALTA/NSPS Land Title Survey):
   a. We conducted a cursory review of this drawing.
   b. The area south of the Zone A floodplain is labeled as a Zone X floodplain. The effective FEMA map does not show a Zone X floodplain in this area. The ALTA Survey drawing needs to be revised to remove the label.
   c. We understand a lender that may be engaged for this project will review this drawing in more detail and will defer to their comments.
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9. Appendix 2 (Existing Survey): No comments at this time.

10. Appendix 3 (Site Plan):
   a. During our meeting on May 3, 2018 there was discussion about whether or not DOT would require a traffic impact analysis (TIA) for this development. The Village has received documentation from DOT that a TIA will not be required.
   b. Emergency access and fire hydrant location: The Site Plan has been reviewed and approved by the Village Fire Chief.
   c. The redevelopment plan needs to show a detail of the raised concrete walk. The detail needs to note that the sidewalks shall meet ADAAG Standards.
   d. The redevelopment plan needs to show a detail of the accessible ramps. The detail needs to note that the ramps shall meet ADAAG Standards.
   e. The drawing shows two signs. One for Emerald Woods and one for Elm Grove Heights. Section 335-48.B(11) limits one sign per frontage road.
   f. Several improvements are shown to be located within existing easement limits. The grantee of the utility easements should review and may need to provide approval before improvements are made with existing easement limits.
   g. The property is currently zoned as a B-3 district. The property is petitioned to be rezoned as an RM-2 district with a Planned Development Overlay District (PDO). We did not review the rezoning/PDO petition. The PDO may provide some flexibility on certain zoning requirements such as building height, building setbacks, density and on-site parking. This flexibility is at the discretion of the Village. Below are the values provided by the redevelopment plan and a determination as to whether or not the values provided meet the proposed underlying RM-2 zoning district:
      i. The new building is proposed to be 51’ – 6” tall, which does not meet the requirements of the underlying proposed RM-2 zoning district.
      ii. The front yard setback is proposed to be 29.98 feet, which does not meet the requirements of the underlying proposed RM-2 zoning district when considering the proposed building height.
      iii. The westerly side yard setback is proposed to be 13.83 feet, which does not meet the requirements of the underlying proposed RM-2 zoning district.
      iv. The easterly side yard setback is proposed to be 55 feet, which meets the requirements of the underlying proposed RM-2 zoning district.
      v. The rear yard setback is proposed to be 126.87 feet, which meets the requirements of the underlying proposed RM-2 zoning district.
vi. The density of the proposed development is 37.5 dwelling units per acre, which may meet the requirements of the proposed underlying RM-2 zoning district as a conditional use if a variance is granted for enhanced density.

vii. The redevelopment plan provides 90 parking spaces (20 surface spaces and 70 underground spaces), which is less than the required number of spaces for an elderly multiple family use per Section 335-32.J of the Village Code (1.5 spaces per dwelling unit = 75 x 1.5 = 113 spaces required).

A drawing was included in the redevelopment plan drawing set that shows 13 additional surface parking spaces may be provided in the future (15 new – 2 existing). The future parking spaces are located partially within the Zone A floodplain, which even though is allowed by ordinance, is not recommended unless the area is filled to an elevation above the flood level. Therefore, we believe a floodplain analysis and a LOMR from FEMA would be required if these future parking spaces were constructed. The redevelopment plan would still not meet the current Village Code if the future parking spaces were constructed.

We understand that an ordinance revision is currently being proposed to require 1.1 parking spaces per independent senior living dwelling unit. The redevelopment plan as currently proposed (without the future additional spaces) will provide adequate parking if the ordinance revision is approved.

h. Reserved Accessible Parking Stalls:
   i. Section 208 of the Americans with Disabilities Act requires each parking facility at a site provide the minimum number of accessible spaces. Table 208.2 requires at least 3 accessible parking spaces for a parking facility with 51 to 75 total parking spaces. The layout of the underground parking facility needs to be revised to show at least 3 accessible spaces provided.
   
   ii. The future parking facility on the north side of the building will also need to provide accessible spaces. According to Table 208.2 of the Americans with Disabilities Act the facility will need to provide at least one reserved parking space and loading area.

i. Impervious Area Calculations:
   The redevelopment plan shows the proposed building footprint area to be 24,656 square feet (28.3% of the gross parcel area). The calculations provided show the proposed development plan meets the building footprint coverage limitation (30% Max. per Section 335-21.1.G of the Village Code for the proposed RM-2 zoning).
The redevelopment plan shows the proposed total impervious area coverage for the property to be 50,755 square feet (58.3% of the gross parcel area). The calculations provided also show the proposed development plan meets the total impervious area coverage limitation (65% Max. per Section 335-21.1.H of the Village Code for the proposed RM-2 zoning).

j. House Grade: The redevelopment plan shows the following:
   i. Proposed first floor is approximately 3.8 feet higher than the neighboring building to the east.
   ii. Proposed first floor is approximately 0.6 feet lower than the exposed lower level parking garage floor for the neighboring building to the west.
   iii. Proposed lower level parking garage floor at elevation 740.50 is 1.5 feet higher than the existing grade at the approximate Zone A floodplain limits adjacent to the garage opening on the north side of the building.
   iv. Based on the above, the proposed first floor elevation appears to be reasonable for this lot.

k. A note on the drawing shows the concrete driveway apron and sidewalk need to meet “City” Standards. The note needs to be revised for the apron and sidewalk to meet “Wisconsin DOT and Village” Standards.

l. Improvements within the Bluemound Road right-of-way will require a permit from DOT.

m. A traffic control plan needs to be added to the redevelopment plan and will be subject to DOT and Village approval.

n. A temporary access plan needs to be developed for traffic headed into Emerald Woods during construction.

11. Appendix 3 (Site Plan Specifications):
   a. A construction sequence needs to be added to the drawing.
   b. Add a note that all erosion controls must be in place before commencing construction.
   c. Specifications for the water main extension need to follow City of Brookfield standards.
   d. Specifications for the water main appurtenances need to be added to the drawing and need to follow City of Brookfield standards.
   e. Note 1 in the General Project Notes should be revised to indicate driveways and curb cuts also need to follow DOT requirements.
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f.  Note 3 in the General Project Notes should be revised to replace “Stormwater Pond” with “Stormwater Management Facilities”.

12. Appendix 4 (Lighting Plan): We have reviewed the lighting plan and photometric data. The fixture selections are full cut-off style (all light directed downward) as required and appear appropriate for this application. In addition, the intent of the Village lighting ordinances appear to be met with this proposed lighting plan.

13. Appendix 5 (Surface Water Drainage Plan – Grading Plan):
   a. A 30-foot long tracking pad consisting of 3-inch breaker run stone must be added to the drawing.
   b. We recommend a guardrail be constructed between the proposed retaining wall and the east side of the access drive. We also recommend a guardrail be constructed between the proposed retaining wall and the east side of the outside parking lot.
   c. The Site Plan shows the sidewalk around the outside parking lot to be raised. Additional grades need to be provided to differentiate the top of the sidewalk grade and the asphalt parking lot grade.
   d. The grading plan needs to be revised to show a berm and/or swale to be constructed north of the downstream end of the curb and gutter for the access drive with sufficient capacity to carry runoff that is not captured by the inlet during larger storm events. The runoff needs to discharge into the unnamed tributary to the north so that it is not directed on to the adjacent property. Additional inlets at the end of the curb and gutter may reduce the potential for storm water to flow beyond the end of the curb and gutter and may reduce the carrying capacity of a downstream swale and/or berm system.

   a. The storm sewer outfall is located with a floodplain and will likely disturb wetlands normally associated with the bed and bank of a water body. The trench will need to be restored to original condition and elevation to avoid floodplain approvals. The wetland disturbance will need a DNR permit.
   b. The size, slope and elevations of the proposed sanitary lateral need to be provided.
   c. A plan and profile drawing(s) of the public water main extension needs to be included in the plan set. The size, slope and elevations of the water main extension and water service need to be provided.
   d. The size, slope and elevations of the proposed storm sewers and underground detention facility need to be provided.
e. The proposed water service piping is shown to be fairly close to the proposed underground storm detention system. The separation between these two facilities will need to follow applicable building and plumbing codes. Even if the separation shown on the drawing meets applicable codes, we recommend additional separation be provided for improved constructability and future maintenance considerations.

f. The drawings show conflicts between utilities at multiple locations.

g. The swale proposed along the west side of the new building is located within an existing utility easement and may require approval from the existing utility.

h. Calculations showing the pipe capacity and anticipated peak flows for the on-site storm sewers needs to be provided.

i. A written storm water management plan showing how the site improvements will meet MMSD Chapter 13 regulations needs to be provided.

j. Proposed utilities located within the Bluemound Road right-of-way will require a permit from DOT.

15. Appendix 6 (Landscape Plan):

a. The Site Information at the top of Sheet LSP 1.0 does not match the Site Plan in Appendix 3. The information on both sheets will need to match.

b. Plantings along the west lot line shall not encroach upon or interfere with the parking lot on the adjacent property, the buried utilities in easement or the overhead power lines in easement.

c. Plantings along the east lot line shall not encroach upon or interfere with the building on the adjacent property or any buried utility in the existing easement.

d. The grantee of the utility easements should review and may need to provide approval of the landscape plan.

16. Permits and Approvals: A copy of all permits and approvals obtained from regulatory agencies having jurisdiction over the improvements need to be provided.
Mr. Thomas Harrigan  
Re: 13040 W. Bluemound Road - Redevelopment Plan Review  
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We recommend the items listed above be addressed to the Village’s satisfaction prior to approval. Please contact our office with any questions regarding this matter. Thank you for allowing us to be of service to the Village of Elm Grove.

Very truly yours,

RUEKERT & MIELKE, INC.

Anthony D. Petersen, P.E. (WI, IA)  
Senior Project Manager  
apetersen@ruekert-mielke.com

ADP:adp  
cc: David De Angelis, Village of Elm Grove  
Richard Paul, Jr., Village of Elm Grove  
File