MILWAUKEE METRO CENTER

3rd Amendment to DPD-Metro Center Phase 2 – File No. 111712

Russ Darrow Group, Inc. (11212 W. Metro Blvd)

Project Description and Owner's State of Intent

This detailed plan is hereby submitted by Russ Darrow Group, Inc. for the Nissan Dealership minor modification. This statement, together with the below described exhibits and supporting materials, comprises the amended development plan.

I. LIST OF EXHIBITS

1. Owner's State of Intent & site photos
2. Vicinity Map
3. Site Survey (showing the site boundaries, legal descriptions, existing topography, existing utility locations.)
4. Development Plan (showing proposed structures, site open spaces, site lighting, site signage, pedestrian and vehicular circulation, parking, loading facilities, and refuse collection facilities.)
5. Grading, Drainage (showing the existing and proposed topography at one foot contour intervals, location of storm sewers, parking and roadway storm inlets and elevations.)
6. Utility and Plumbing Plan (showing existing and proposed utility locations and laterals.)
7. Landscape Plan, Lighting (showing the proposed landscape screening and plant location, quantity, type, and size) and light standards.
8. Building Elevations (showing all façade elevations of the proposed building with material descriptions and wall signage.)

II. DESCRIPTION OF THE DEVELOPMENT

The amended project consists of the revision of the site plan that was approved by Council on 11/02/11 as file #110704, the approved structure containing 20,000 square feet devoted to office showroom, and light service facilities, together with out display area for 494 automobiles in a landscaped setting. Service facilities will be primarily oriented toward providing service for automobile purchases, although, as a convenience for area residents, service will be available to the public. In addition, an automobile rental subsidiary will be available primarily for customers having their vehicles serviced. The showrooms will contain display vehicles in an existing interactive environment. Sales guides are available to assist. All vehicles displayed, indoors and outdoors, are clearly shown on the attached site map as is display locations for sales vehicles. Please note that automobiles are displayed in landscaped bays, with landscaping designed to provide an open space atmosphere, particularly when viewed from surrounding lands destined for office and hotel development. There are no adjacent residential developments. Previous to the minor modification (110704), a second amendment to the DPD was approved by Council in 2008 (FN 080744) to construct a Honda dealership. A first amendment to the DPD (FN 030910) was not approved by Council. The original DPD – Metro Center Phase 2 was

approved in 2002 as FN 020923. In addition to the limitations contained in the foregoing description of the development, the proponent agrees to the following special conditions desired by the City of Milwaukee.

1. Hours of Operation shall be:
   a) Service and Maintenance – 7 AM to 9 PM, Monday through Saturday
   b) Sales – 9 AM to 10 PM, Monday through Saturday
2. Test driving vehicles on residential streets shall be prohibited. No test drives may make a right turn at the intersection of Metro Boulevard and North 107th Street under any circumstances. Test drives will be conducted primarily on the test drive route.
3. No vehicle may be displayed with its hood up, trunk lid up, or doors open. No vehicles may be displayed on a ramp or any kind of moving platform except in specialty display areas. Each specialty display area shall not include more than four vehicles.
4. Except for a grand opening to be approved by the City, no balloons, flags, pennants, streamers, spinners, tinsels, or other similar devices, or any signs other than those contained in Sign Exhibit shall be applied to any building or structure or strung on wires or otherwise used on site.
5. Lighting shall conform to that shown in attached Exhibit and shall conform to the established standards of the City of Milwaukee. Lighting shall reduce in intensity from the south to the north down to a minimum security level along the rear of the property. At 10 PM, the entire site illumination would be reduced to a low intensity level. Lighting shall not "spill" from the site to any adjacent area in excess of 2 foot candles.
6. Security will be designed to prevent or deter crime on-site through techniques included, but not limited to, lighting, security gates, landscape placement, surveillance cameras, and the like.
7. The majority of the vehicles sold on-site or leased from the site, shall be new, some pre-owned vehicles will be sold.
8. Financing for cars sold or leased on-site shall not permit weekly or monthly car payment to be made on-site.
9. Delivery of vehicles should be limited to five trips per day, and delivery vehicles may not wait on public rights-of-way.
10. All aforesaid conditions may be enforced by appropriate personnel of the City of Milwaukee, including, but not limited to, Department of Neighborhood Serviced and Milwaukee Police Departments.

III. COMPLIANCE **WITH STANDARDS**

The proposed DPD provides for, or complies with, the standards prescribed by Section 295-812 and 295-813 as follows

1. Size – The project site contains 7.008 acres. The approved public roadway has been eliminated and entire site will be utilized for Darrow Nissan. Previously, project site was 5.98 acres.

2. Space Between Structures – The location of structures, as shown on the Development Plan, complies with the applicable provisions of the Wisconsin Building Code.
3. Setbacks – Setbacks along the north and south perimeters of the project boundary shall be 25 feet. Ten foot setbacks are required between the west parcel and lands reserved for future development (east parcel).
4. Screening and Open Spaces – There are no adjacent residential uses requiring screening. Nevertheless, the landscape plan Exhibit 1 shows extensive use of landscaping both in the perimeter of the site and on the interior of the site, all of which is in conformance with the standards contained in the ordinance.
5. Circulation Facilities – The main entry to the DPD site is off W. Metro Blvd. via the private access drive as shown on the Development Plan. Internal circulation provides for adequate safe access for pedestrians and public and private vehicles. Public parking is clearly shown on the Development Plan. Delivery of automobiles by truck shall be at the location marked on the Development Plan, and after initial stocking of the site, shall not exceed five trips per day.
6. Lighting – Project lighting shall conform to established standards used by the City and is identified on the Plan.
7. Utilities – All utilities, including storm and sanitary sewers, water mains and laterals, parking and roadway storm inlets, and the like are or will be installed underground.
8. Signage – Signage is described and located on the Development Plan and will meet local ordinances.

IV. MINOR MODIFICATIONS

Subject to the limitations contained in Section 295-813(4) of the Milwaukee Code of Ordinances, and in order to maintain flexibility as the development proceeds, Russ Darrow Group, expressly retains the right to make reasonable minor modifications provided that the limitations contained in the above cited section of the ordinance are not exceeded.

Per DPD submittal checklist, site statistics to change from 2nd to 3rd amendment:

1. Gross land area: 7.008 ac. or _304,932_ sq. ft., previously 5.93 ac or 258,518 sq. ft.
2. Max amount of land covered by principal bldg.: __19,702_ sq. ft. _6.46_ %, previously 19,702 sq. ft. 7.62 %
3. Max. amount of land devoted to parking, drives & parking structures: _190,967 sq. ft. _62.63__%, previously _179,565 sq. ft. 69.46 %
4. Minimum amount of land devoted to landscaped open space: _94,263_ sq. ft. _30.91_%, previously _59,251_ sq. ft. 22.92%
5. Max. proposed dwelling unit density - N/A
6. Proposed # of buildings: __1___
7. Max. # of dwellings per unit: N/A
8. Bedrooms per unit: N/A

9. Parking spaces provided: ratio of spaces _34__ # spaces, previously __34_ per 1,000 sq. ft. building area: _1.73__: 1000 sq. ft. bldg. area

BSV