FOREST COUNTY POTAWATOMI LEGACY DISTRICT
BIOGAS GENERATION FACILITY

DETAILED PLAN DEVELOPMENT
PROJECT DESCRIPTION AND OWNER'S STATEMENT OF INTENT
November 11, 2011
Revised December 1, 2011
(Common Council File No. 110629)

I. COMPONENTS OF DETAILED PLAN AND SUPPORTING MATERIALS

The Forest County Potawatomi Community of Wisconsin (the "Tribe") requests that the zoning of the property at and around 2301 West Canal Street be amended from a General Plan Development (GPD) District to a Detailed Plan Development (DPD) in accordance with this submission. The Tribe intends to continue redevelopment of its Canal Street facilities by construction of a biogas generation facility on the west end of their employee parking lot, west of the west leg of West Potawatomi Circle.

This Owner's Statement of Intent, together with the accompanying plan sheets and related materials, identified below, constitutes and supports the detailed development plan:

Plan Sheets

Sheet Index

DPD-0 Cover Sheet / Vicinity Map/Project Team / Sheet Index

DPD-1 ALTA/ACSM Land Title Survey – Existing

DPD-2 Proposed Project Boundary Description

DPD-3 Existing Facilities Site Plan

DPD-4 Proposed Building and Parking Site Plan

DPD-5 Proposed Utility Plan

DPD-6 Proposed Grading Plan

DPD-7 Proposed Landscape Plan

DPD-8 Proposed Building Elevations

DPD-9 Proposed Signage and Details

Exhibit A Statistical Sheet

Exhibit B Site Photographs

Exhibit C Site 3-D Renderings

II. OVERALL DEVELOPMENT CONCEPT

1. Existing Conditions:

   The Tribe operates a casino and a bingo hall at 1721 West Canal Street (West Canal at 16th Street) in a 3-story building (ground level, mezzanine and 2nd level) that opened in October of 2000 with a major expansion completed in 2008.

   This facility contains approximately 772,900 total gross square feet and includes casino space, five restaurants, two bars, the bingo hall, a theater, meeting rooms, as well as support spaces such as offices, employee spaces, kitchens, storage, docks, and warehouse.

   The casino is served by two parking structures and several surface parking lots.

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

   The land both to the north and to the south of the project site consists of actively-used railroad yards.

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

2. Proposed Facility:

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

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

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

The proposed biogas generation facility will be located one block west of the existing casino and parking structures at the far west of FCPC property. The primary building will house the feedstock receiving operation and the engine generators. This building will be high bay industrial space which will include one enclosed truck bay for feedstock receiving & processing and dewatering & processing of the solids remaining after gas production. A lower bay will contain internal combustion engine generators with support facilities. This building will be 9,760 s.f. The engine generators will utilize 16 inch diameter stacks that will extend to eighty feet above grade. The other two main structures will be digester tanks with a volume of approximately 1.05 million gallons each. These occupy 5,170 s.f each, and will be approximately eighty feet in diameter. Other site appurtenances include a shielded biogas back-up flare and a twenty foot diameter feed tank, occupying 314 s.f., located adjacent to the digester tanks. The biogas generation facilities will occupy approximately 20,450 total s.f. of this site.

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

It is planned to submit a CSM to create three lots. Lot one will be the remaining existing employee parking lot. Access to the second lot, the site of this facility, will be through a driveway located at the north end of the existing lot with a new curb cut off of West Potawatomi Circle. The eastern boundary of the project, other than the drive will be 420 feet from the street. A third lot will contain only the detention pond. Lot One, the remaining employee lot is 5.46 acres. Lot 2, the biogas digester project site and drive is approximately 2.66 acres. The area of Lot 3, the retaining pond, is 2.56 acres.

Employee parking requirements for the biodigester are minimal and will be accommodated on site. The existing parking structures have a capacity of approximately 3,360 cars. The existing below grade valet parking structure accommodates 300 additional cars. Existing surface lots in the development accommodate another 1,160± cars and are used primarily for employees and some overflow valet parking. This development will displace approximately 350 parking

spaces. This loss of spaces is acceptable. The total parking capacity for the overall property will be approximately 4,480 cars. On-street parking will not be necessary.

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

3. Exterior:

The proposed biogas generation facility will be one story tall with an internal mechanical mezzanine. The top of the building will be approximately 35 feet above grade. The biodigester tanks with sidewalls and roof will be approximately 60 feet tall. The exhaust stacks for the engine generators will be 80 feet tall above grade. For comparison, the existing casino and parking structures are approximately 65 feet tall.

The generation facility will be masonry construction. The digester tanks will be steel construction with exterior insulation covered with metal panels. The tops of the tanks will be conical or semi-spherical in shape. The color scheme will complement that of Miller Park. The fencing separating the biogas generation facility from the employee parking lot will be chain link with privacy slats. At a distance of 420 feet from the property line, this facility will have minimal visual impact from the street. The eastern edge of the employee parking lot has already been developed with decorative fencing and landscaping in accordance with City standards under prior zoning.

4. Land Use Plan for the Menomonee Valley:

The Department of City Development along with Menomonee Valley Partners, Inc. has promulgated a plan to revitalize the Menomonee Valley as a distinct district of urban industrial, business, and employment. The plan identified goals for revitalization of the Valley by improving the infrastructure and encouraging new development. The Tribe is proud to have played a role in the extraordinary re-birth of the Menomonee Valley. The proposed biogas generation facility is consistent with and expands upon the design and development guidelines developed in the Plan with community landfill use reduction and green energy generation.

The existing Valley is bracketed by the new 6th Street Viaduct on the east, and Miller Park on the west, with reconstructed Canal Street acting as a central spine. A number of improvements have been made within the Valley since development of the Plan, including the at-grade connection of 6th Street to Canal Street, the Marquette Playing Fields, new office buildings and roadway improvements, demolition of outdated industrial buildings, and expansion of the Casino. New improvements include the light industrial park in the old CMC rail yards area and the new storm water parks, to enhance water quality prior to discharge to the Menomonee River.

Immediate neighbors are Emmpak Foods/Cargill's cattle processing facility to the east, CP Rail's bulk cement transfer facility to the north and west, and CP Rail's Muskego

Yard to the west and south. Miller Compressing Company's recycling yard is located to the south of the rail yard. The Biogas Generating Facility is a green development, reclaiming a former brownfield. It serves the regional economy by using former waste products, much of which now require landfilling, as organic feedstocks. While it is an industrial development, its products are carbon neutral renewable electrical energy, process heat displacing natural gas usage, and organic soil amendment. The facility is being developed on an underutilized piece of land surrounded on three sides by existing infrastructure whose location and function were established as the Valley was reclaimed from marsh to canal to railroad. The biogas generation facility's land use is consistent with and supports the Menomonee Valley Plan.

The proposed development will help achieve the goals of the Plan in many ways by creation of new jobs that are accessible to local residents; encouragement of high quality, sustainable development; use of existing City infrastructure in job development; help in reducing urban sprawl; reduction of regional traffic; and reduced utilization of landfills.

5. Storm Water Management

The quantity and quality of storm water drainage from the site will be addressed through the use of existing City infrastructure, in compliance with City requirements. A detention basin that handles storm water discharged from the employee parking lot, west of West Potawatomi Circle (formerly 20th Street) will handle runoff from the biogas generation facility. The basin provides a limited discharge to the City storm sewer in Potawatomi Circle, which is connected to the City's new Storm Water Park at West Canal Street and N. 25th Street. The detention basin has been landscaped and vegetated to provide for pollutant uptake.

The biogas generation facility will result in no net increase of impervious surface, so that additional detention will not be required for these improvements.

III. COMPLIANCE WITH STANDARDS

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

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

The Forest County Potawatomi Legacy District area subject to the DPD is approximately 465,322 square feet (10.68 acres).

B. Density (295-907.3.c.)

Not applicable.

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

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

D. Setbacks (295-907.3.e.)

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

Principal Façade is defined as the public façade designed in accordance with the City of Milwaukee Urban Design Guidelines. The present biogas generation project does not involve creation of any Principal Facades.

Secondary Façade is defined as the area not generally exposed to significant public contact. Secondary Façade areas will be associated with the back of building areas, parking structures, utilities, and materials management facilities facing the interiors of the project site. Pedestrian and vehicular access points will not be used by the public. The structures to be created as part of the current project are isolated from public ways by active rail yards and over 400 feet of surface parking lot, and thus will have only Secondary Facades.

Surface Parking – Primary, is defined as the areas of surface parking adjacent to the right-of-way. These areas have already received landscape treatments as specified in III.E, below, which will generally include regularly spaced trees and a continuous base of shrubs. Surface Parking – Secondary, is defined as the areas of surface parking adjacent to adjoining properties. These areas will receive landscape treatments as specified in III.F and III.H, below. Open space areas adjacent to the right-of-way and adjoining properties will receive landscape treatments as specified in III.F and III.H, below. The street edge of the employee parking lot has already been developed to City standards in accordance with prior zoning.

The present project does not implicate street setback concerns because of the intervening employee parking lot. The setback of that lot was established in conformance with City requirements under prior zoning.

E. Screening (295-907.3.f.)

Urban Landscape Treatment will be used as a landscape buffer along all streets. New landscaping shall conform to City of Milwaukee requirements. Screening of surface parking and circulation facilities will be comprised of regularly spaced trees and continuous base shrubs, and may include fencing that will create a barrier, but not be a visual screen. Plantings will create a continuous edge of plants, but the eye level zone will be mostly open, to allow for surveillance between parking lots and streets. Facilities such as mechanical equipment or enclosures, dumpsters, and other trash collection equipment, will be screened per Section 295-405.1.b-7, Type “G” Landscaping (object screening), wherever these facilities are visible to the public. Fencing and walls shall be

in accordance with Table 295-405.1-c, Fence/Wall and Landscaping Requirements for Landscape Types, and Section 295-405.1.c-5.

The current project will not include new construction along any street. The screening of the existing employee parking lot was created consistent with City requirements under previous zoning.

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

Open spaces are shown on Sheet DPD-5. Open spaces will include facilities for storm water management, pedestrian circulation, including paved paths and seating areas; landscaped and garden areas with walls and fencing; information features such as signs or kiosks; lighting, shielded so as to not cause glare on adjoining streets and residences; and decorative enhancements, such as flagpoles, artwork, or water features. Landscaping and screening in open spaces will be maintained so as not to create a nuisance or hazardous condition.

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

The general location of circulation facilities are identified on Sheet DPD-5. Access to this facility will be controlled. Parking and loading facilities shall be located near the uses they support and will be adequately screened.

H. Landscaping (295-907.3.i.)

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

I. Lighting (295-907.3.j.)

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

J. Utilities (295-907.3.k.)

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

K. Signs (295-907.3.l.)

Signs will be designed and installed per the signage program for the Forest County Potawatomi Legacy District. The signage program is shown on Sheet DPD-10. The signage program includes a Main Entrance sign, directional signs, and identification signs.

L. Survey (295-907)

The Survey, Sheet DPD-2 shows topography at 1-foot intervals.

IV. MINOR MODIFICATIONS

Section 295-907.2.i. of the Milwaukee Code of Ordinances provides that minor modifications to detailed plans may be allowed, provided that such minor modifications do not result in certain changes to the plan relating to its general character, or such things as land coverage of buildings and parking areas. The Tribe, in generating the plans for the DPD, has attempted to anticipate all factors required to complete the project successfully, and has invested a substantial amount of time and capital in doing so. However, neither the Tribe nor the City of Milwaukee can predict how the plans set forth herein may unfold in their implementation. In recognition of this fact, and acknowledging the need to maintain flexibility of plans to be modified for particular circumstances, the Tribe will retain the right to make minor modifications to the DPD at any time in accordance with the applicable City ordinance

V. "STATISTICAL SHEET" INFORMATION

Section 295-907.2.c-1 of the Milwaukee Code of Ordinances provides that this Owner's DPD Project Description contain a statistical sheet setting forth specific information on the project. The pertinent information required under this Section is set forth on the Statistical Sheet attached hereto as Exhibit A-1, A-2, and A-3 for the three separate lots.

EXHIBIT A-1
DETAILED PLAN DEVELOPMENT STATISTICAL SHEET
FOREST COUNTY POTAWATOMI LEGACY DISTRICT
BIOGAS GENERATION FACILITY
LOT 1 – EMPLOYEE PARKING

2.b-1-a	Gross Land Area	237,848 sf	5.46 ac	
2.b-1-b	Maximum Amount of Land Covered by Principal Buildings	0 sf	0.00 ac	0 percent of total
2.b-1-c	Maximum Amount of Land Devoted to Parking, Drives and Parking Structures	196,586 sf	4.50 ac	82 percent of total
2.b-1-d	Minimum Amount of Land Devoted to Landscaped Green Space	41,262 sf	0.96 ac	18 percent of total
2.b-1-e	Total Area Devoted to Non-Residential Uses	237,848 sf	5.46 ac	100 percent of total
2.b-1-f	Proposed Number of Buildings	None		
2.b-1-i	Parking Spaces Provided	548	Surface	
			Structured	
			Total	
		0.00	Number of cars per 1,000 square feet	

EXHIBIT A-2

DETAILED PLAN DEVELOPMENT STATISTICAL SHEET
FOREST COUNTY POTAWATOMI LEGACY DISTRICT
BIOGAS GENERATION FACILITY
LOT 2 – BIODIGESTER PLANT

2.b-1-a	Gross Land Area	115,983 sf	2.66 ac	
2.b-1-b	Maximum Amount of Land Covered by Principal Buildings	9,762 sf	0.22 ac	8 percent of total
2.b-1-b	Maximum Amount of Land Covered by Accessory Structures	10,689 sf	0.25 ac	9 percent of total
2.b-1-b	Maximum Amount of Land Covered by Principal Buildings and Accessory Structures	20,451 sf	0.47 ac	18 percent of total
2.b-1-c	Maximum Amount of Land Devoted to Parking, Drives and Parking Structures	70,739 sf	1.63 ac	61 percent of total
2.b-1-d	Minimum Amount of Land Devoted to Landscaped Green Space	24,793 sf	0.56 ac	21 percent of total
2.b-1-e	Total Area Devoted to Non-Residential Uses	115,983 sf	2.66 ac	100 percent of total
2.b-1-f	Proposed Number of Buildings	Four		
2.b-1-i	Parking Spaces Provided	8	Surface	
			Structured	
		8	Total	
		0.82	Number of cars per 1,000 square feet	

EXHIBIT A-3
DETAILED PLAN DEVELOPMENT STATISTICAL SHEET
FOREST COUNTY POTAWATOMI LEGACY DISTRICT
BIOGAS GENERATION FACILITY
OUTLOT 3 – DETENTION POND

2.b-1-a	Gross Land Area	111,491 sf	2.56 ac	
2.b-1-b	Maximum Amount of Land Covered by Principal Buildings	0 sf	0.00 ac	0 percent of total
2.b-1-c	Maximum Amount of Land Devoted to Parking, Drives and Parking Structures	0 sf	0.00 ac	0 percent of total
2.b-1-d	Minimum Amount of Land Devoted to Landscaped Green Space	111,491sf	2.56 ac	1 percent of total
2.b-1-e	Total Area Devoted to Non-Residential Uses	111,491 sf	2.56 ac	100 percent of total
2.b-1-f	Proposed Number of Buildings	None		
2.b-1-i	Parking Spaces Provided	0 Surface _____ Structured 0 Total 0.00 Number of cars per 1,000 square feet		

EXHIBIT B
SITE PHOTOGRAPHS

Southeast View from Biogas Generation Site

East – Southeast View from Biogas Generation Site

East – Northeast View from Biogas Generation Site

Northeast View from Biogas Generation Site

North View from Biogas Generation Site

Northwest View from Biogas Generation Site

West View from Biogas Generation Site

Southwest View from Biogas Generation Site

South View from Biogas Generation Site

EXHIBIT C
SITE 3-D RENDERINGS

Site Overview

Digester Facility Overview

Eye Level View from W. Potawatomi Cir.

Eye Level View from W. Potawatomi Cir.

Eye Level from W. Canal St. and W. Potawatomi Cir.
(Example CP Rail Obstructions Shown)

Eye Level from W. Canal St. and W. Potawatomi Cir.
(No CP Rail Obstructions Shown)

Eye Level from W. Canal St.
(Example CP Rail Obstructions Shown)

Eye Level from W. Canal St.
(No CP Rail Obstructions Shown)