



March 4, 2019

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,

Attached are updates to the Elm Grove Heights design and additional materials addressing questions from Village staff, the Village Engineer, and the Plan Commission.

1. Project Updates and Requested Information;
2. ALTA Survey;
3. Civil Index Sheet;
4. Existing Site and Demolition Plan;
5. Site Plan;
6. Grading and Erosion Control Plan (contains surface water drainage information);
7. Stormwater Management & Utility Plan;
8. Civil Plan C1.5 Details;
9. Fire Truck Turning Exhibit (Appendix 9)
10. Amended Extraordinary Parking Plan (Appendix 10);
11. Construction Sequence and Access Plan for Emerald Woods Condominium Association (Appendix 11);
12. Village Engineering Review and Itemized Responses (Appendix 12);

Thank you for your time and consideration.

Sincerely,  
**HORIZON DEVELOPMENT GROUP, INC.**

*Philip Schultz*  
Managing Partner

## **Project Updates and Requested Information:**

### *Zoning Considerations from the Village Engineering Review:*

#### *Height and Setbacks:*

The maximum height for a principal structure in the Rm-2 zoning district is 36'.<sup>1</sup> We are proposing a 51'6" structure and are requesting flexibility from the Rm-2 district's base height restriction as part of the Planned Development Overlay request. The highest portion of the Elm Grove Heights will be still be 1.5 feet lower than the roof of the building to the west.

The minimum front-yard setback in the Rm-2 district is 25 feet. We are proposing a front-yard setback of 27.67', which complies with the base restriction if flexibility is granted to the base height restriction.

We believe these requests are reasonable as the height and front-yard setback for the building immediately adjacent to the west are comparable. The Building Trades Association building has a comparable front-yard setback and is slightly taller than the height proposed for Elm Grove Heights.

The minimum side-yard setback in the Rm-2 zoning district is 20'.<sup>2</sup> We are proposing a 15' setback from the western property line and are requesting flexibility from the base side-yard setback requirement as part of the Planned Development Overlay request.

#### *Signage:*

Village staff confirmed that the Rm-2 zoning district qualifies as a residential zoning district. Section 335-48.B(11) limits one sign per frontage road in nonresidential districts, but no such restriction exists for residential districts. We are proposing two monument signs: one for Elm Grove Heights and one for Emerald Woods. The Emerald Woods sign will be relocated to the eastern side of the entry drive and the design will remain the same. Village staff has confirmed that Horizon can submit the proposed design for the Elm Grove Heights sign on March 14<sup>th</sup> for the Building Board's review on March 19<sup>th</sup>.

#### *Amended Extraordinary Parking Plan (Appendix 10):*

The Plan Commission requested that Horizon develop a plan for extraordinary demand for surface parking on holidays. This submittal includes an update to the Extraordinary Event

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<sup>1</sup> Village Code of Ordinances, Section 335.21.1(E)(1)(a).

<sup>2</sup> Village Code of Ordinances, Section 335.21.1(F)(2)(a).

Parking Plan submitted to on February 12<sup>th</sup>, 2019. Since that time, Horizon has negotiated a parking agreement with the owner of the parcel adjacent to the west. Elm Grove Heights visitors will be able to utilize the 27 surface stalls that abut our parcel's western property line on holidays outside the regular course of business. Please see the amended Extraordinary Event Parking Plan (Appendix 10) for additional detail.

*Senior Housing Deed Restriction:*

At the Plan Commission meeting on January 7, 2019, the Village Attorney asked Horizon whether we would be open to including a deed restriction that guarantees every resident at Elm Grove Heights will be over the age of 62. The development agreement will include a provision that requires the requested deed restriction.

*Fire Department Turnaround (Appendix 9):*

Appendix 9 in the 2-12-2019 submittal demonstrates that the fire department turnaround accommodates the turning radius of 40' truck. Chief Selzer provided the specifications for the Village's fire engines and Excel Engineering has since verified that the turnaround will accommodate the Village's largest fire truck, which is 34' in length.

*Construction Sequence and Access Plan for Emerald Woods Condominium Association (Appendix 11):*

The Village Engineering Review requested an access plan for Emerald Woods during construction. The Horizon development team met with Excel Engineering and Horizon Construction Group to establish a construction sequence that maintains access for Emerald Woods throughout construction. Please see Appendix 11 for additional details.

*Unit Mix Update and Sanitary Capacity:*

During design, we updated our unit mix to include 24 one-bedroom and 51 two-bedroom apartments. The Village Engineering Review indicated that adequate sewer capacity exists for 22 one-bedrooms and 53 two-bedrooms. The unit mix update still complies with MMSD requirements because the increase in the number of one-bedrooms reduces the overall number of bedrooms and therefore reduces the potential sewage generated by Elm Grove Heights.

*Enhanced Density Standard:*

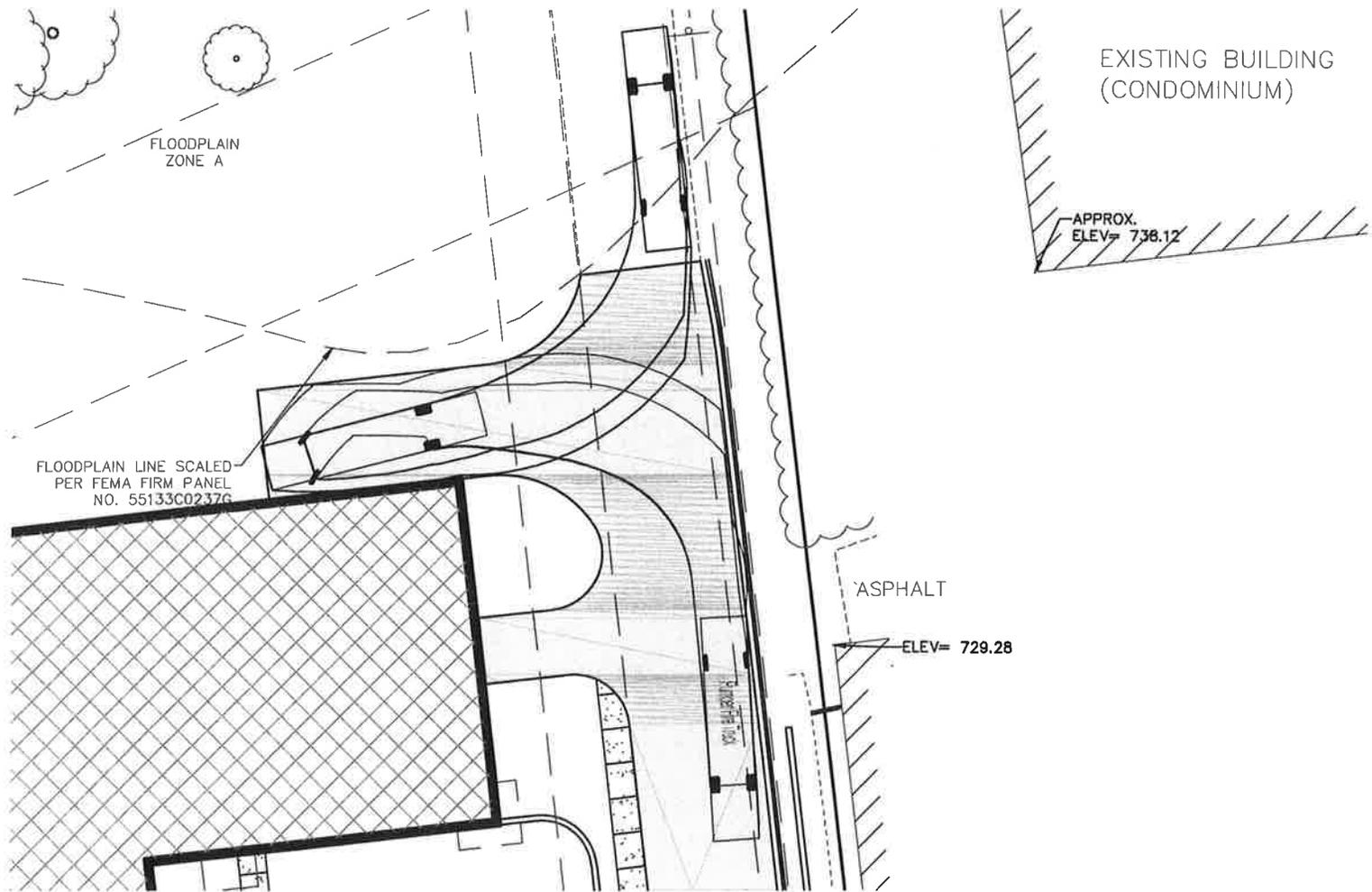
The Village Code of Ordinances requires that projects requesting enhanced density be designed to meet or exceed the highest quality comparable in the Village.<sup>3</sup> On January 16<sup>th</sup>, the Building

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<sup>3</sup> See Section 335-21.1(C)(2).

Board unanimously approved the Elm Grove Heights design, exterior materials, and landscaping plan.

# Fire Department Turnaround Appendix 9



## EXTRAORDINARY EVENT PARKING PLAN

Appendix 10  
3-4-2019

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, Easter, Christmas Eve, 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 underground parking 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 visitors will be allowed to park in the surface parking spaces on the property immediately to the west of Elm Grove Heights per an agreement between Elm Grove Heights and the owner of the property known as the Building Trades building located at 500 Elm Grove Road. There is a public sidewalk between the Building Trades parking lot and Elm Grove Heights.

# **CONSTRUCTION SEQUENCE & CONDO ASSOCIATION ACCESS PLAN**

Appendix 11

3-4-2019

The purpose of this plan is to provide a construction sequence that demonstrates adequate access for the Emerald Woods Condominium Association during the construction of Elm Grove Heights. The development team conducted a series of meetings with Excel Engineering to devise a construction sequence that will maintain access throughout the construction period for Emerald Woods.

## **Construction Sequence:**

1. Install building foundation;
2. Backfill foundation and install precast;
3. Install stormwater system under parking lot and north of building, backfill trench, and install gravel road west of existing access drive;
4. Complete the building;
5. Rebuild eastern half of access drive;
6. Rebuild western half of access drive with water main;
7. Construct parking lot and fire department access drive.

# Elm Grove Heights Engineering Review Checklist

## Appendix 12

13040 W Bluemound Road  
4-Mar-19



Number	Deliverable	Responsible Party	Expected Completion Date	Complete	Response to Village Engineer
1	Provide "final" ESA to Village	Horizon		x	Phase I provided to Village Engineer on 2/22/19 - final form subject to lender's requirements when selected
2	DNR Wetlands Delineation/Invest, necessary?	Excel		x	DNR concluded that no wetlands delineation will be necessary - email provided to Village on 3/4/19 submittal
3	DNR Navigability/OHWM determination necessary?	Excel	Apr-19		DNR preliminary conclusion is that the channel is navigable. DNR will need to visit the site to make final determination and flag an OHWM
4	DNR ER Review	Horizon	Apr-19		Completed and submitted to Village on 3/4 - potential action items to be determined when snow melts
5	DNR - Buffer around wetlands area?	Excel		x	No buffer from wetlands since wetland investigation is not required.
6	DNR - Setbacks from OHWM?	Excel	Apr-19		DNR does not have any setbacks from the OHWM. Shoreland setbacks are set by the municipality.
7	DNR - Army Corps of Engineers involvement?	Excel	Apr-19		ACE usually follows DNR determination, so we do not anticipate their involvement
8	"Most" of improvements outside floodplain	Excel		x	All improvements are outside floodplain except for storm outlet to creek, which has been analyzed and approved by DNR
9	Document "watertight" connection to existing sanitary	Excel		x	See attached utility plan notes - existing sanitary lateral called out to be removed and capped at main
10	Document that existing lateral connections need to be abandoned; existing severed from main	Excel		x	See attached utility plan notes - existing sanitary lateral called out to be removed and capped at main
11	Final Unit Mix update	Horizon / JLA		x	See floor plan submittal from JLA on 2-12-2019 - unit mix increased one-bedroom count to 24, so calculations from MMSD are still accurate
12	Document that well will be abandoned	Excel		x	See attached utility plan notes - well called out to be abandoned per Village and DNR requirements
13	DNR Approval of water main	Excel	May-19		Design must be submitted to Brookfield and Elm Grove prior to receiving DNR approval
14	Determine whether City of Brookfield requires water main lateral constructed as public water main within easement	Excel	Apr-19		City of Brookfield must evaluate water main design prior to approval
15	Revise underground parking plan to show overall and space dimensions	Excel / JLA		x	See submittal from JLA on 2-12-2019
16	Revise ALTA to remove "Zone X"	Excel		x	See attached ALTA survey
17	Raised sidewalk detail saying design meets ADAAG standards	Excel		x	Raised concrete sidewalk detail added with note documenting that sidewalk will meet ADAAG requirements
18	Show detail of accessible ramps, note indicating meets ADAAG	Excel		x	Handicap ramp detail added to plan with note documenting it will meet ADAAG requirements
19	Two signs and zoning code	Horizon	Mar-19		Zoning Administrator confirmed that residential districts can contain more than one monument sign; Monument sign will be reviewed by Building Board on 3/19/19
20	Improvements within easement limits to be approved by easement holders.	Excel		x	AT&T approved conceptual improvements in easement area via email provided to Village staff on 3-4-2019
21	Zoning considerations	Horizon		x	Addressed in 3-4-19 submittal.
22	Underground parking revised showing 3 handicap stalls	Excel/JLA		x	See JLA submittal on 2-12-2019
23	Show one handicap space in future parking	Excel/JLA		x	See Excel site plan from 2-12-2019 - handicap stall shown in future parking area
24	Revise note that concrete apron and sidewalk will meet "Wis DOT and Village" standards	Excel		x	All notes for improvements in the public R-O-W indicate compliance with Village and DOT requirements
25	DOT Permit for R-O-W boring	Horizon	May-19		Design must be completed and submitted to Brookfield and Elm Grove prior to receiving DOT approval
26	Traffic control plan DOT and Village approval	Horizon	May-19		In process
27	Temp access plan for Emerald Woods approved by Village	Horizon		x	See Construction sequence and Condo Association Access Plan attached - DOT approval expected in May 2019

28	Construction sequence	Horizon		x	See Construction sequence and Condo Association Access Plan attached - DOT approval expected in May 2019 - to be added to drawings
29	Note demonstrating all erosion controls in place before construction	Excel		x	Note added under the construction sequence for the erosion control to be installed prior to the start of construction
30	Specs for water main meet City of Brookfield reqs - identify requirements and how they are met	Excel	Apr-19		City of Brookfield must evaluate water main design prior to approval - specifications will be included when plans are completed
31	Revise general notes to indicate driveway and curb cuts to follow DOT reqs	Excel		x	All notes for improvements in the public R-O-W indicate compliance with Village and DOT requirements
32	Revise Note 3 in Gen notes to say SWM facilities	Excel		x	Note 3 under general notes revised to say stormwater facilities and underground system instead of pond.
33	Add 30-foot tracker pad with 3-inch breaker run stone to drawing	Excel		x	Location of tracking pad added to the plans and the DNR tracking pad detail has been added to C1.5.
34	Guardrail added between proposed retaining wall and east side access drive	Excel		x	A guard rail has been added on the east side of the driveway. Between the retaining wall and the drive.
35	Additional grades required to differentiate top of sidewalk and asphalt parking for grade	Excel		x	Additional grades have been added to show locations where the sidewalk transitions from flush to raised sidewalk.
36	revise grading plan to show berm or swale north of downstream end of curb and gutter on access drive	Excel		x	Grading of a swale or berm north of the curb and gutter cannot be done since the grade within the floodplain cannot be modified. The curb inlet rim has been lower to have a portion of the driveway drain south.
37	Wetlands disturbance DNR permit	Excel		x	A wetlands disturbance permit will not be required because the DNR has concluded that a wetlands investigation is not necessary for the proposed work.
38	Size, slope, and elevations for sanitary lateral needed	Excel		x	Size, slope, and inverts of the proposed sanitary lateral has been added to C1.4
39	Plan and profile drawings of public water main; size slope and elevations for water main and service needed;	Excel	Apr-19		City of Brookfield must evaluate water main design prior to approval
40	Size, slope, and elevations for storm sewers and underground detention facility needed	Excel	Apr-19		Size, slope, and inverts of all storm sewer and storm detention facilities have been included on C1.4
41	Contact Village Engineer to discuss conflicting utilities shown on plans and what issues will be caused	Excel		x	C1.4 has resolved all utility conflicts
42	swale on building's left side conflicts with utility easement - inquire with utility provider	Excel		x	See email with preliminary consent from AT&T to construct improvements within the easement area. Official approval will be obtained prior to construction. Grade is being raised within easement to prevent any damage to existing utilities.
43	Calcs for pipe capacity and anticipated peak flows for on site storm sweres needed	Excel		x	Pipe capacity and peak flow calculations have been provided in the stormwater management report.
44	Written SWM Plan showing how MMSD 13 reqs will be met	Excel		x	Stormwater management report included in 3-4-2019 submittal. Report explains how MMSD, Village, and DNR requirements will be met.
45	Proposed utilities in Bluemound R-O-W will require DOT permit	Horizon	May-19		Water main design must be approved prior to seeking DOT permit
46	Match site info on top of LSP 1.0 to site plan in Appendix 3	Insite/excel	Mar-19		Landscape plan to match civil plan
47	West lot line plantings can't encroach on adjacent parking lot, buried easements, or overhead powerlines...	Insite		x	AT&T approved conceptual improvements in easement area via email that is attached to this submittal
48	Same with easeterm lot line	Insite		x	The trees proposed have been modified for an even more upright and narrow habit. Some have been eliminated. Plan still exceeds minimum point threshold per Village code of ordinances
49	Utility easement holder should review LSP and approve	Horizon		x	See email with preliminary consent from AT&T to construct improvements within the easement area