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MEMORANDUM

TO: Plan Commission
Village of Union Grove

Copies to: Michael Hawes, Village Administrator
Rebecca Wallendal, Village Clerk
Gary Vogel, P.E., Village Engineer, Baxter & Woodman
Timothy J. Pruitt, Village Attorney, Pruitt, Ekes & Geary, S.C.
Craig Bartsch, Bear Development
Bryan Pokos, Pinnacle Engineering Group

FROM: GRAEF
Craig Huebner, AICP, Village Planner

DATE: December 1, 2020

SUBJECT: Review of the following:

1) The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a CSM for the address NWQ Hwy 45 & 58th Road, Union Grove, WI (Subject Property);

2) The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a CSM Redivide for proposed Lot 2 of the overall Subject Property CSM, Union Grove, WI;

3) The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Preliminary Plat approval for proposed Lot 3 of the overall Subject Project CSM, Union Grove, WI;

4) The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Preliminary Condominium Plat approval for proposed Lot 1 of the overall Subject Project CSM and proposed Lot 2 of the CSM Redivide, Union Grove, WI;

5) The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Zoning Amendment from RS-90 with PUD Overlay District to RS-80, RD-80, and RM for the address NWQ Hwy 45 & 58th Road, Union Grove, WI (Subject Property);

6) The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Planned Unit Development Overlay District (PUD) for the Subject Property;

7) The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Site Plan Review for multifamily development on proposed Lot 1 of the CSM Redivide.

I. BACKGROUND

The Applicant has submitted seven separate applications as part of the Canopy Hill Development (Subject Property). While the amount of information is a bit overwhelming, the development essentially comes down to proposed land divisions (CSMs and Plats), zoning amendments (base zoning and zoning overlay), and multi-family design review. Each application is listed as a separate review item in this memo and corresponds to actionable items included in the Plan Commission Agenda dated December 7, 2020. It is important not only to review this memo, but also review the full application materials submitted by the Applicant as well as the Engineer’s Preliminary Review. The proposal is for a mixed-residential development inclusive of 188 single-family lots, 66 condominium units (33 townhome duplexes and 4 ranch duplexes), 60 multi-family units (3 buildings with 20 units each), and a 3.39-acre lot for future senior living. The development also includes an 18-acre dedication of land to the Village for a park.

It is the understanding of GRAEF that reviews and comments on all engineering-related aspects of the proposed development are to be accomplished by the Village Engineer. Therefore, GRAEF defers all engineering-related review and comment to the Village Engineer.

It is the understanding of GRAEF that reviews and comments on all legal language and legal documents of the proposed development are to be accomplished by the Village Attorney. Therefore, GRAEF defers all legal-related review and comment to the Village Attorney.

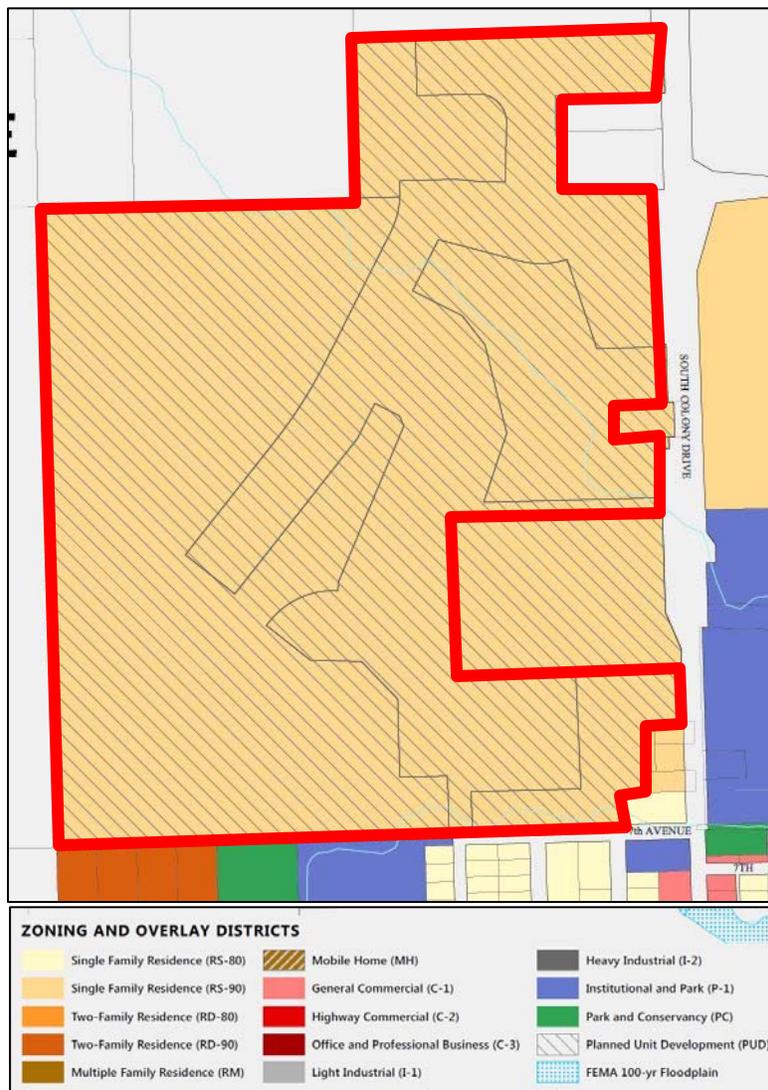
Figure 1: Project Site



II. EXISTING ZONING

The Subject Property is currently zoned Single-Family Residence (RS-90) with PUD Overlay. Adjacent zoning districts include RD-90, Park and Conservancy, RS-80, and Institutional. The Subject Property is also adjacent to Village of Yorkville on the North and West property boundaries. (Proposed zoning for the development is reviewed in Section VII of this memo).

Figure 2: Existing Zoning Map



III. PROPOSED CERTIFIED SURVEY MAP

- a. The proposed CSM includes four (4) proposed lots.

Table 1: Proposed CSM Characteristics

Proposed Lot	Size	Notes
Lot 1	8.8577 acres	Is host to 33 townhome duplex condominiums. Is further defined in proposed Preliminary Condo Plat. (See Section VI)
Lot 2	5.4641 acres	Is host to multi-family structures and ranch duplex condominiums. Is further subdivided in proposed CSM Redivide. (See Section IV)
Lot 3	136.8132 acres	Is further subdivided into single family lots and corresponding outlots and dedicated roadways as part of the proposed Preliminary Plat. (See Section V)
Lot 4	3.3484 acres	Future host to senior living development. Revision to lot 4 boundary may be necessary to ensure Pond 4 fits entirely within Outlot 2 of the Preliminary Plat (See Section V.b.(7))
Total	154.4834 acres	

- b. **As part of the conditional approval for this agenda item, the Applicant shall provide a revised CSM that includes the proposed zoning for each lot.**
- c. **Additional revisions/additions may be identified by Village Engineer and shall be addressed by the Applicant.**

See Page 21 of this memo for recommended PC action for Proposed CSM

IV. PROPOSED CERTIFIED SURVEY MAP REDIVIDE

- a. The Applicant has proposed an additional CSM that further subdivides the proposed lot 2 in the CSM listed in Section III. The proposed CSM Redivide includes two (2) proposed lots.

Table 2: Proposed CSM Redivide Characteristics

Proposed Lot	Size	Notes
Lot 1	4.0872 acres	Is host to three 20-unit multi-family structures
Lot 2	1.3769 acres	Is host to four ranch duplex condominiums
Total	5.4641 acres	

- b. As part of the conditional approval for this agenda item, the Applicant shall provide a revised CSM that includes the proposed zoning for each lot.
- c. Additional revisions/additions may be identified by Village Engineer and shall be addressed by the Applicant.

See Page 22 of this memo for recommended PC action for Proposed CSM Redivide

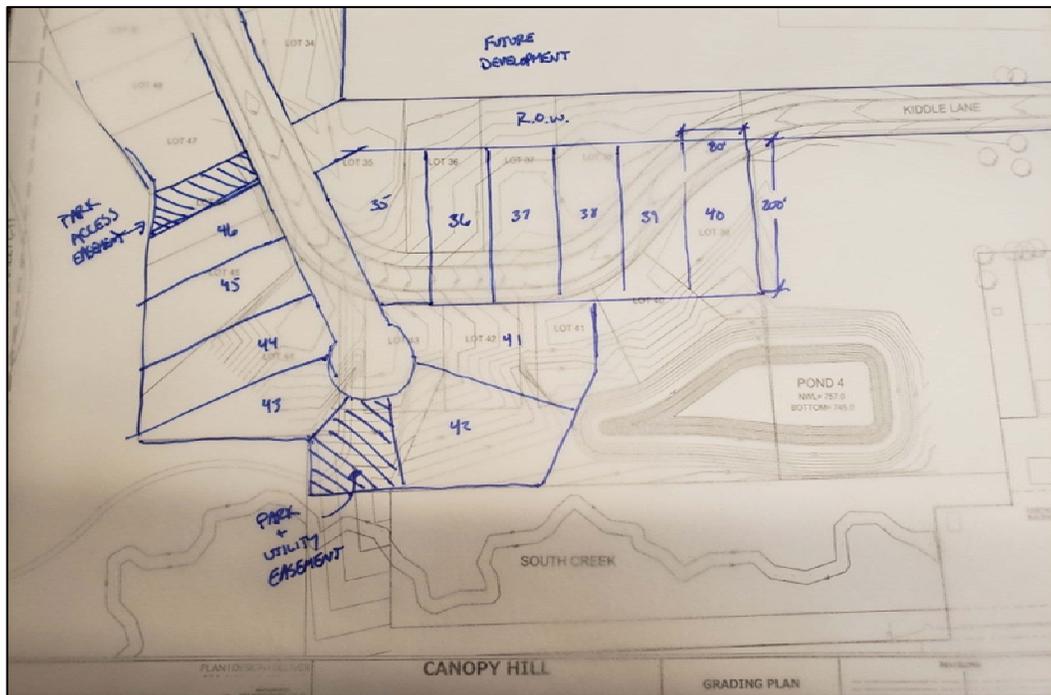
V. PROPOSED PRELIMINARY PLAT ON CSM PROPOSED LOT 3

- a. The Applicant is proposing a development consisting of one hundred eighty-eight (188) single family lots. The lots will be built out in multiple phases, as identified in the Preliminary Plat.
- b. Sec. 94-156 of the Village of Union Grove Land Division Code provides the technical requirements for a Preliminary Plat. GRAEF recommends the following revisions/additions be made to the Preliminary Plat and shown on the Final Plat. Plan Commission shall review the below items and include as conditions of approval if deemed appropriate. NOTE: Additional revisions/additions may be identified by Village Engineer and shall be addressed by the Applicant.

- (1) Include sidewalks on both sides of all streets within the development;
- (2) Confirm trail width and material (8' minimum, asphalt material required);
- (3) Offset trail a minimum of 3' from south property line (south of proposed lot 173-174);
- (4) Provide revised trail layout plan with accessible slopes;

- (5) 58th Road intersection with Highway 45: Remove slip lane configuration (unless TIA report mandates this configuration);
- (6) Resolve the existing “Wisconsin Telephone Company Easement” development impact at lots 1-2, 17, 96-103. The easement location appears to cut lots in half;
- (7) Ensure Pond 4 is appropriately sized to accommodate future senior living development at Lot 4 of proposed CSM and is located entirely within Outlot 2;
- (8) Revise design layout of Kiddle Lane and surrounding lots 35-46 according to Village staff recommendations (see Figure 3 below);
- (9) Submission of TIA with review and approval by WisDOT and Village Engineer.

Figure 3: Staff-recommended Kiddle Lane redesign concept



Redesign Concept achieves the following Village staff desires: (1) Provides a much clearer access and frontage to the adjacent parcel to the north; (2) Simplifies street and lot layout while maintaining the same amount of lots; and (3) Adds park access at the terminus of Kiddle Lane (a bit more intuitive as to where one of the park access points would be).

See Page 23 of this memo for recommended PC action for Proposed Preliminary Plat

VI. PROPOSED PRELIMINARY CONDOMINIUM PLAT ON CSM PROPOSED LOT 1 and CSM REDIVIDE LOT 2

- a. The Applicant is proposing a development consisting of 4 ranch duplexes equaling 8 condominium units and 33 townhome duplexes equaling 66 condominium units. The condominium development will consist of 2 lots, as identified in the Preliminary Condominium Plat.

- b. Sec. 94-5 of the Village of Union Grove Land Division Code provides the technical requirements for a Condominium Plat (same procedures as subdivision plat with preliminary and final condo plat submissions). GRAEF recommends the following revisions/additions be made to the Preliminary Condo Plat and shown on the Final Condo Plat. Plan Commission shall review the below items and include as conditions of approval if deemed appropriate. NOTE: Additional revisions/additions may be identified by Village Engineer and shall be addressed by the Applicant.

- (1) Include sidewalk connection from duplex structures to 58th Road public sidewalks (see Figure 4 below);

- (2) The space between the SF lots to the west and the townhomes has essentially been eliminated compared to previous concept plans. Applicant shall provide justification for the reduction and whether this is appropriate for the buffer between single-family lots and townhome buildings. Additional landscape screening (ornamental and shade trees) should be added within buffer space;

- (3) Explore revision to site design. Figure 5 below shows a shift in placement of a few of the townhomes to create more organized open spaces and groupings of buildings;

- (4) Adjust groupings of buildings in the northern portion of the site and eliminate each sidewalk between each building (doesn't seem likely that a resident would use this path nor would it be intuitive for a guest to walk through to the front door instead of being invited through the garage). Instead, make the new space between groupings of buildings a more formal open/landscaped space with parking that includes a sidewalk to the front doors. This would be better understood for guests to park and enter via the front door of townhomes (see Figure 5);

- (5) Landscape Plan: Create more formal park - like spaces that have a stronger landscape composition and form that is recognizable as a place within the townhome development area. Proposed open space design (as submitted) is just what's left over with no design hierarchy (see Figure 5).

Figure 4: Staff-required sidewalk additions as part of conditional approval

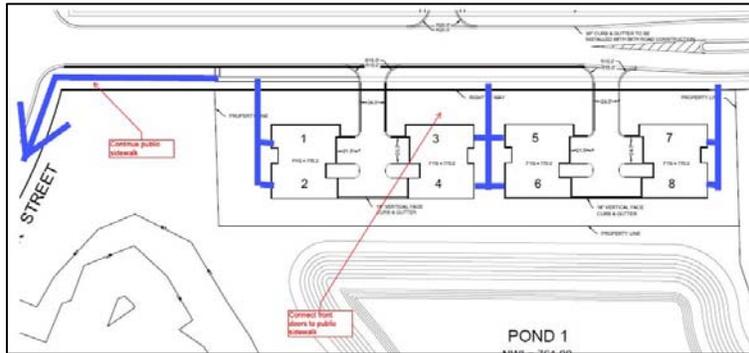


Figure 5: Staff-recommended Condo Plat Redesign Concept



See Page 24 of this memo for recommended PC action for Proposed Preliminary Condo Plat

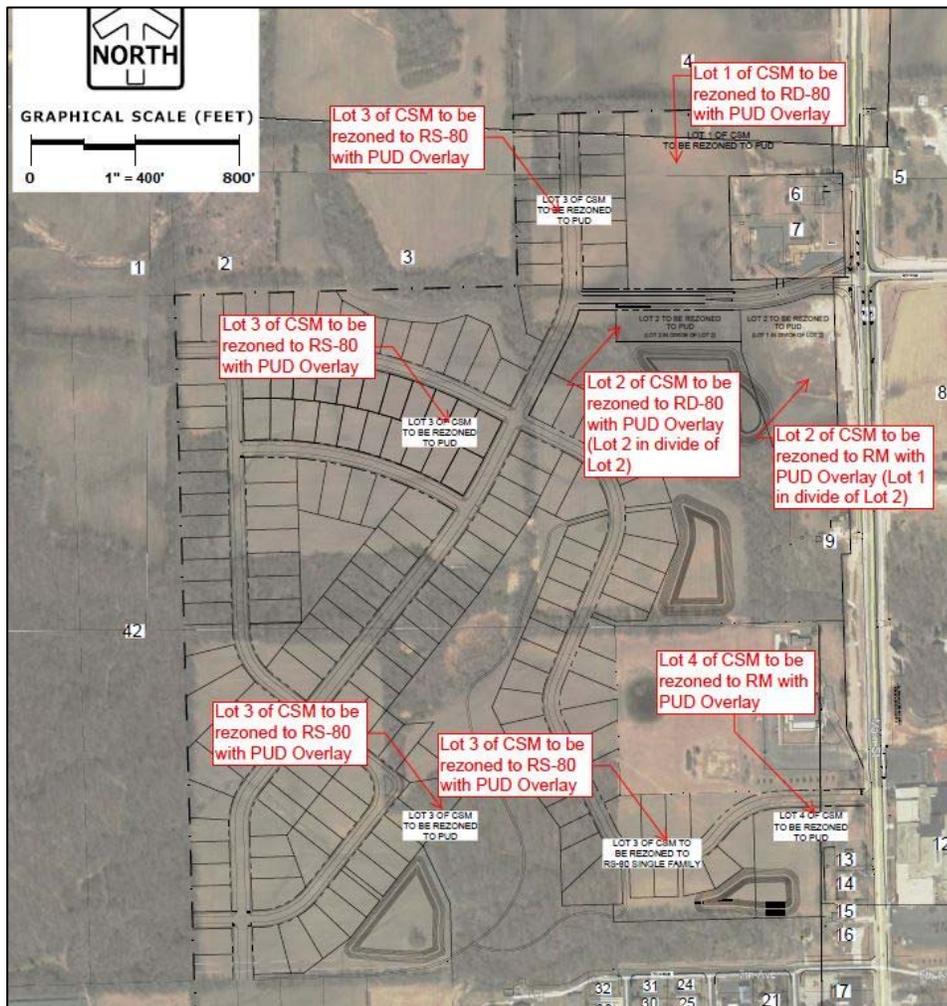
VII. PROPOSED BASE ZONING & COMPLIANCE WITH VILLAGE ZONING REQUIREMENTS

- a. The development proposal includes both base (underlying) rezoning of different lots as well as a Planned Unit Development (PUD) Overlay that covers the entire Subject Property. The PUD has additional review items noted in Section IX of this memo.

Figure 6 shows the rezoning exhibit submitted by the Applicant with comments in red that were provided by GRAEF and are part of the conditional approval for the base rezoning agenda item:

- (1) Submit a revised rezoning exhibit to accurately label proposed zoning.

Figure 6: Proposed Zoning Exhibit (submitted by Applicant with Planner comments in red)



The proposed lots were reviewed to ensure compliance with dimensional base (underlying) zoning requirements.

- b. Single-Family Residence (RS-80): Preliminary Plat Proposed lots 1-188; Outlots 1-6
 - (1) Minimum Lot Area: 8,000 square feet (11,943 minimum proposed)
 - (2) Minimum Lot Width: 80' at the setback line (80' minimum proposed)
 - (3) Minimum Side Yard: Min. of 15' total; 6' on one side (15' proposed)
 - (4) Minimum Street Yard: 25' minimum (25' proposed)
 - (5) Minimum Rear Yard: 30' minimum (30' proposed)
 - (6) Corner Lots: 25' minimum street; 10' minimum sides (25'; 10' proposed)

- c. Multiple Family Residence (RM): CSM Proposed lot 4 and CSM Redivide lot 1
 - (1) Minimum Lot Width: 700' at the setback line (Lot 4=431'; Lot 1=571' proposed *)
 - (2) Minimum Side Yard: Min. of 20' (20' proposed)
 - (3) Minimum Street Yard: 25' minimum (25' proposed)
 - (4) Minimum Rear Yard: 30' minimum (30' proposed)
 - (5) Max Building Height: 45' (approximately 30' proposed)

*Although minimum lot width is not met, the PUD Overlay allows for deviations from base zoning regulations. Village Planner has informed Applicant that a revised PUD letter be submitted that includes the formal request for lot width deviation. The following statement is included as part of the conditional approval for the PUD:

Applicant shall submit a revised written PUD cover letter:

- a. **PUD deviation written request should be added to allow for RM Zoning District lot width to be 431.91' for Lot 4.**
 - b. **PUD deviation written request should be added to allow for RM Zoning District lot width to be 571.86' for Lot 1 of proposed redivision of Lot 2.**
-
- d. Two Family Residence (RD-80): CSM Proposed lot 1 and CSM Redivide lot 2
 - (1) Minimum Lot Width: 80' at the setback line (455' proposed)
 - (2) Minimum Side Yard: Min. of 10' (unknown*)
 - (3) Minimum Street Yard: 30' minimum (unknown*)
 - (4) Minimum Rear Yard: 30' minimum (unknown*)
 - (5) Max Building Height: 28' (unknown*)

*It is important to note that Proposed lot 1 and CSM Redivide lot 2 are part of the Condominium Plat application. Therefore, as opposed to traditional RD-80 zoning with duplex housing units that each would be located on their own separate lot, the Applicant is proposing one lot for the 33 townhome duplexes and one lot for the 4 ranch duplexes. The proposed PUD overlay allows for this deviation from individual lot requirements. The general spacing and layout of the duplex condos appear to follow closely to the street, side, and rear setback

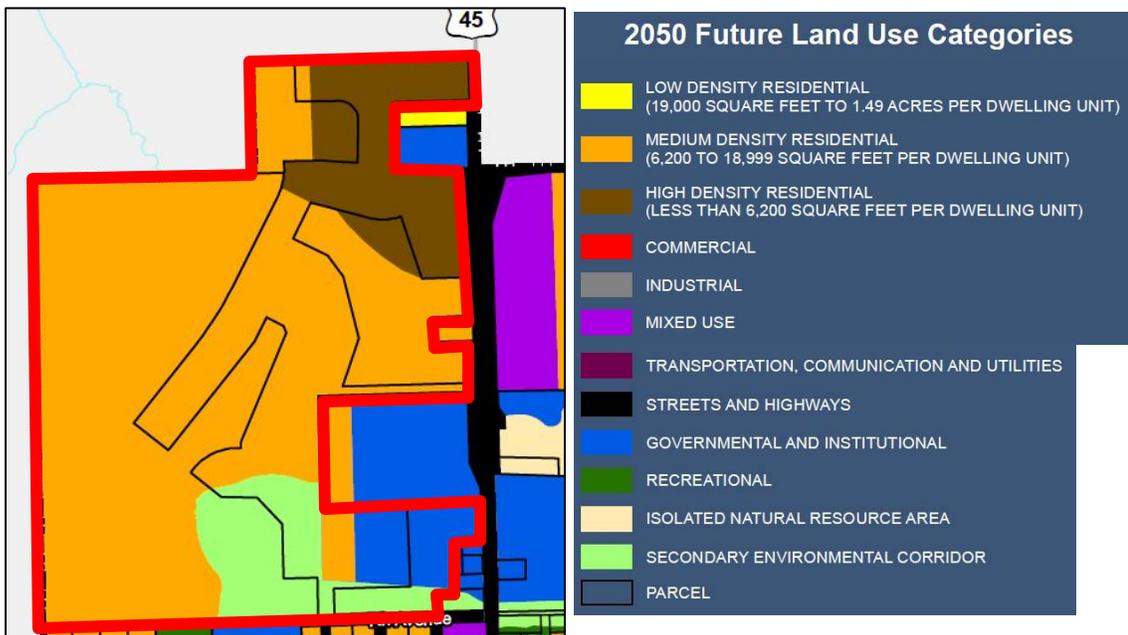
requirements. Therefore, the Village Planner recommends approval of this PUD overlay deviation of setbacks.

See Page 25 of this memo for recommended PC action for Proposed Base (Underlying) Rezoning

VIII. COMPLIANCE WITH COMPREHENSIVE PLAN

- a. The Current Comprehensive Plan: “A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035” (the Multi-Jurisdictional Plan) was adopted by the Village Board of Union Grove to serve as the comprehensive plan for the Village of Union Grove. The “2050 Future Land Use Map” (Planned Land Use Map) was adopted by the Village Board in 2020 and declared to be a part of the Multi-Jurisdictional Plan and serves as the tool to evaluate appropriate uses and related zoning. The Subject Property includes the future land use categories of “Medium Density Residential”, “High Density Residential”, “Institutional”, and “Secondary Environmental Corridor” on the Future Land Use Map.
- b. As described in the Rezoning section of this memo, the proposed development uses, and densities are generally consistent with the Future Land Use Plan and thus justify approval of the proposed rezoning. NOTE: One item for Plan Commission consideration is the proposed impacts to Environmental Corridor areas of the Subject Property (See Section IX.d. of this memo (page 17-18).

Figure 7: 2050 Future Land Use Map



IX. PROPOSED PUD OVERLAY

a. Section 118-696 of the Village of Union Grove Zoning Code provides the intent of PUD Overlay usage in the village.

(1) The PUD planned unit development overlay district is intended to permit developments that will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures, and mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic, to provide attractive recreation and open spaces as integral parts of the development, to enable economic design in the location of public and private utilities and community facilities, and to ensure adequate standards of construction and planning.

The PUD overlay district under this chapter allows for flexibility of overall development design with benefits from design flexibility intended to be derived by both the developer and the community, while at the same time maintaining insofar as possible the land use density and other standards or use requirements as set forth in the underlying basic zoning district.

b. The following includes the required submission information as prescribed in Sec. 118-703:

Table 3: PUD Application Submission Requirements

Information Required	Submitted by Applicant
<p>1 a. Total area to be included in the PUD, area of open space, residential density computations, proposed number of dwelling units, population analysis, availability of or requirements for municipal services and any other similar data pertinent to a comprehensive evaluation of the proposed development.</p>	<p>The project area is 157.18 acres total. The total area to be included in the PUD as open space will be approximately 48.42 acres (includes 18.17 acres that will be donated to the village for park land). The multifamily development will consist of a density calculation of 14.88 units per acre (or 1 unit per 2,927 SF). As part of the project, public sanitary, water, and storm sewer will be extended to and throughout the site to service the development. The Village's infrastructure has available capacity to serve the development.</p> <p><u>NOTE 1: Population Analysis not provided.</u></p> <p><u>NOTE 2: Project area and dedicated park land acreages do not match CSM and Preliminary Plat numbers. Applicant shall confirm correct numbers.</u></p>
<p>1 b. A general summary of the estimated value of structures and site improvement costs, including landscaping and special features.</p>	<p>The total estimated valuation of structure and site improvement costs for the entire Canopy Hill development will be approximately \$112,780,000.</p>

<p>1c. A general outline of the organizational structure of a property owner's or management's association, which may be proposed to be established for the purpose of providing any necessary private services.</p>	<p>The Organizational Structure will consist of (a) Bear Development, LLC – Canopy Hill Single Family Development Co.; (b) Bear Development, LLC – Canopy Hill Townhome Development Co.; (c) Bear Development, LLC – Canopy Hill Multifamily Development Co.</p>
<p>1d. Any proposed departures from the standards of development as set forth in this chapter, chapter 94, other village regulations or administrative rules, or other universal guidelines.</p>	<p>That the proposed departures from the standards of development include (a) RD-80 zoning for the townhome and ranch duplex condominium units will consist of 2 lots; (b) sidewalk along east side of Kiddle Lane (Lots 18-38) has been removed as the 18" sanitary sewer interceptor will need to be placed in this location</p> <p><u>NOTE 1: Village Planner recommends the Village shall reject the proposed deviation for removal of sidewalk along east side of Kiddle Lane.</u></p> <p><u>NOTE 2: PUD deviation written request should be added to allow for RM Zoning District lot width to be 431.91' for Lot 4.</u></p> <p><u>NOTE 3: PUD deviation written request should be added to allow for RM Zoning District lot width to be 571.86' for Lot 1 of proposed redivision of Lot 2.</u></p>
<p>1e. The expected date of commencement of physical development as set forth in the proposal and, also, an outline of any development staging which is planned.</p>	<p>That the expected date of commencement of physical development for Phase 1 and Phase 2A is July 1, 2021. Development staging is further outlined in the attached plan set.</p>
<p>2a. A legal description of the boundaries of the subject property included in the proposed PUD and its relationship to surrounding properties.</p>	<p>Provided in application submission</p>
<p>2b. The location of public and private roads, driveways, sidewalks, and parking facilities.</p>	<p>Provided in submitted drawing set entitled "2020-11-06 CANOPY HILL (SINGLE FAMILY PHASE).pdf" and "2020-11-06 CANOPY HILL (MULTI-FAMILY PHASE).pdf" and "959.00 PRE PLAT.pdf" and "959.00 PRELIMINARY CONDO PLAT.pdf"</p>
<p>2c. The size, arrangement, and location of any individual building sites and proposed building groups on each individual site.</p>	<p>The proposal is for a mixed-residential development inclusive of 188 single-family lots, 66 condominium units (33 townhome duplexes and 4 ranch duplexes), 60 multi-family units (3 buildings with 20 units each), and a 3.39 acre lot for future senior living. (see above mentioned submitted drawings)</p>

<p>2d. The location of institutional, recreational, and open space areas and areas reserved or dedicated for public uses, including schools, parks, and drainageways.</p>	<p>Outlot 5 (18.27 acres) is proposed to be dedicated to the Village for park land. A paved trail system is also proposed to connect open spaces throughout the site. (See drawings referenced in point 2b above)</p>
<p>2e. The type, size, and location of all structures.</p>	<p>(See point 2c above)</p>
<p>2f. General landscape treatment.</p>	<p>Provided in submitted drawing set entitled "2020-11-06 CANOPY HILL LANDSCAPE PLAN.pdf"</p> <p>STREET TREES SHALL BE PLANTED ALONG ROADWAYS THROUGHOUT THE SINGLE FAMILY PORTIONS OF THE SITE. ALL PROPOSED STREETS SHALL HAVE STREET TREES PLANTED 40 - 50 FT APART. STREET TREES SHALL BE PLANTED WHERE POSSIBLE JUST OUTSIDE OF THE ROW. ALL STORM WATER PONDS SHALL HAVE RAINWATER RENEWAL SEED MIX INSTALLED FROM NORMAL WATER LEVEL TO HIGH WATER LEVEL Each multifamily and duplex building contains landscape treatment including low level, foundation plantings.</p> <p><u>NOTE 1: Revised landscape plan is recommended as part of Preliminary Condo Plat conditional approval.</u></p> <p><u>NOTE 2: Proposed impact to wooded areas shall be reviewed by Plan Commission to determine if any additional protection of existing woodland areas via conservation easements is appropriate. See pages 17-18 of this memo for submitted woodland exhibit.</u></p>
<p>2g. The existing and proposed location of public sanitary sewers, water supply facilities, and stormwater drainage facilities.</p>	<p>Defer to Village Engineer</p>
<p>2h. The existing and proposed location of all private utilities or other easements.</p>	<p>Defer to Village Engineer</p>
<p>2i. Characteristics of soils related to contemplated specific uses.</p>	<p>Defer to Village Engineer</p>
<p>2j. Existing topography on the site with contours at no greater than two-foot intervals.</p>	<p>(See point 2b above)</p>
<p>2k. Anticipated uses of adjoining lands in regard to surface water drainage, and compatibility with existing adjacent land uses.</p>	<p>Defer to Village Engineer for drainage item.</p> <p>The proposed project area currently consists of agricultural land and is bordered by single-family development to the south and agricultural or wooded land to the north and west. The high school is located on the other side of Hwy 45.</p>

2l. If the development is to be staged, a staging plan.	(See point 1 e above)
2m. Designation of central waste removal sites.	Shown on multi-family site plan drawing

- c. The following includes the basis for approval for Plan Commission to make its recommendation and the Village Board to make its determination as prescribed in Sec. 118-704:

Table 4: PUD Basis for Approval Compliance

Design Standard	Proposed by Applicant	Compliance
1. The petitioners for the proposed planned unit development overlay district have indicated that they intend to begin the physical development of the PUD within nine months following the approval of the petition and that the development will be carried out according to a reasonable construction schedule and staging plan satisfactory to the village board.	The expected date of commencement of physical development for Phase 1 and Phase 2A is July 1, 2021. Development staging is further outlined in the attached plan set.	Compliant <i>NOTE: Further sureties in development phasing timeline will be part of Developer's Agreement with Village.</i>
2. The proposed planned unit development overlay district is consistent in all respects to the purpose of this division and to the spirit and intent of this chapter; is in conformity with the adopted master plan, neighborhood plan, or any adopted component thereof; and that the development would not be contrary to the general welfare and economic prosperity of the community.	The proposal is for a mixed-residential development inclusive of 188 single-family lots, 66 condominium units (33 townhome duplexes and 4 ranch duplexes), 60 multi-family units (3 buildings with 20 units each), and a 3.39 acre lot for future senior living. (see above mentioned submitted drawings). Outlot 5 (18.27 acres) is proposed to be dedicated to the Village for park land. A paved trail system is also proposed to connect open spaces throughout the site.	Compliant
3. The proposed site shall be provided with adequate drainage facilities for surface waters and stormwaters.	A master storm water plan will be provided with Final Plat and final public street/utility plans	Defer to Engineer review
4. The proposed site shall be accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.	Two public access points (new roads) are proposed to connect to Hwy 45. The design of these intersections are subject to WisDOT approval. Applicant is required to submit a TIA.	Defer to Engineer review Subject to WisDOT review of TIA

<p>5. No undue constraint or burden will be imposed on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas by the proposed development.</p>	<p>Defer to Village DPW and fire/police.</p>	<p>Defer to Village DPW and fire/police</p>
<p>6. The streets and driveways on the site of the proposed development shall be adequate to serve the residents of the proposed development and shall meet the minimum standards of all applicable ordinances or administrative regulations of the village.</p>	<p>Preliminary roadway designs follow the minimum roadway design widths for collector and minor roadways. Collector Roadways: 80' ROW with 38' roadway width (58th Road, York Street); Minor Roadways: 66' ROW with 31' roadway width (Kiddle Lane, Hill Drive, Valley Hill Lane, Knollwood Lane)</p>	<p>Defer to Village Engineer</p>
<p>7. Centralized public water and sewer facilities shall be provided.</p>	<p>Preliminary Plans submitted.</p>	<p>Defer to Village Engineer</p>
<p>8. The entire tract or parcel of land to be included in a planned unit development overlay district shall be held under single ownership.</p>	<p>The Organizational Structure will consist of (a) Bear Development, LLC – Canopy Hill Single Family Development Co.; (b) Bear Development, LLC – Canopy Hill Townhome Development Co.; (c) Bear Development, LLC – Canopy Hill Multifamily Development Co.</p>	<p>Compliant</p>
<p>9a. Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space, and coordination with overall plans for the community.</p>		<p><u>Staff recommends public walks should be constructed on both sides of all public streets, located 1-foot inside the right-of-way, and meet the State of Wisconsin Handicapped Access Requirements.</u> (Sidewalks are a requirement as listed in the Village Land Development Standards)</p>
<p>9b. The total net residential density within the planned unit development overlay district will be compatible with the village master plan, neighborhood plan, or components thereof.</p>	<p>Multifamily = 1 unit/2,927 SF (high density) Duplex townhomes = 1 unit/5,748 SF (high density) Duplex ranch = 1 unit/9,542 SF (medium density) Single Family homes = 1 unit/16,781 SF (medium density)</p>	<p>Compliant</p>
<p>9c. Structure types shall be generally compatible with other structural types permitted in the underlying basic use district.</p>	<p>20-unit multi-family structures within the RM zoning district, duplex structures within the RD-80 zoning, and single-family structures within the RS-80 district.</p>	<p>Compliant</p>

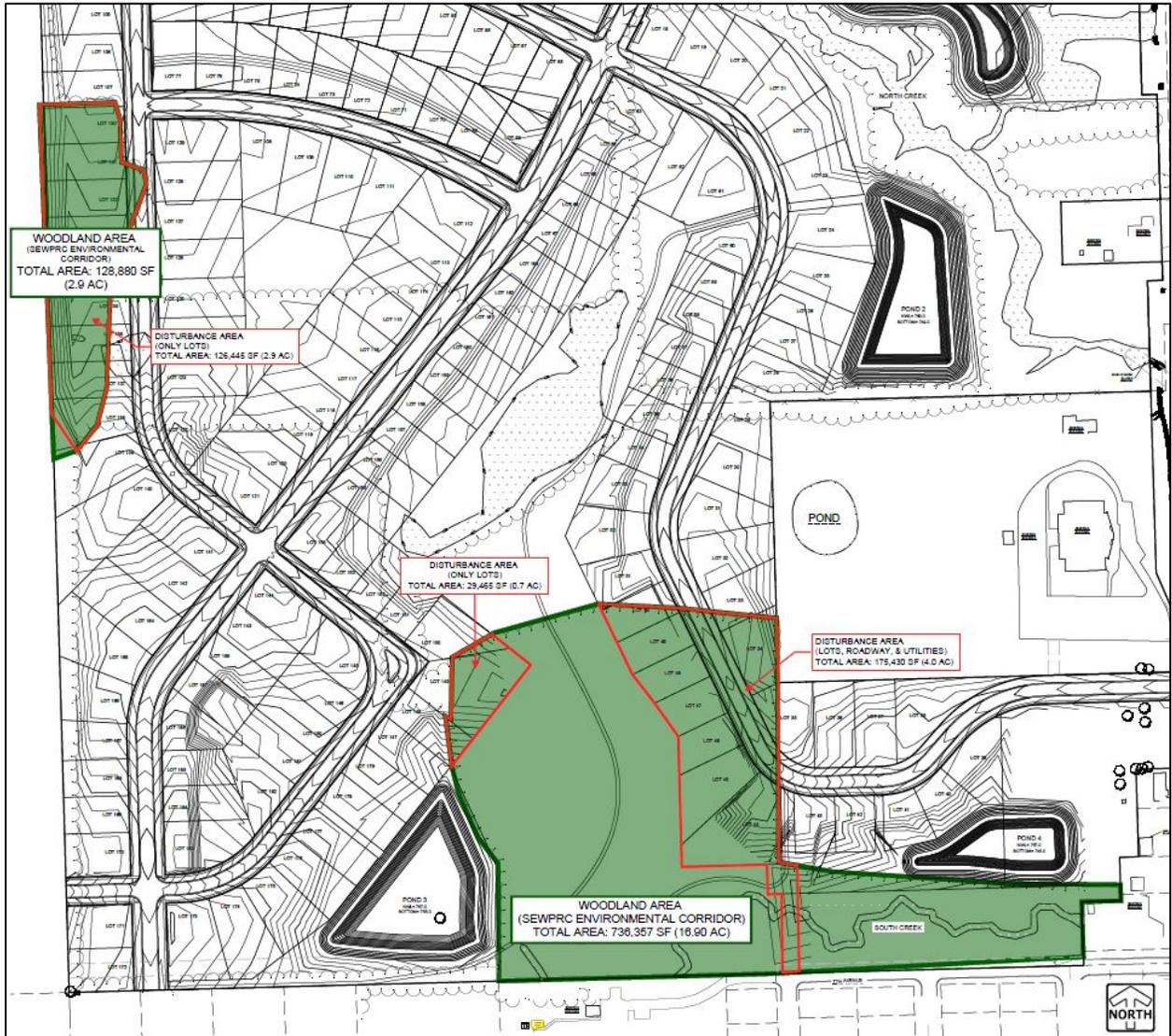
9d. Provision has been made for the installation of adequate public facilities and the continuing maintenance and operation of such facilities.	All roads (with the exception of the private drive of the Condo Plat) will be dedicated to the public. All outlots will have access easements. Other provisions will be finalized as part of Developer's Agreement.	Compliant <i>NOTE: Subject to Developer's Agreement with Village.</i>
9e. Provision has been made for adequate, continuing fire and police protection.	Defer to Village DPW and fire/police.	Defer to Village DPW and fire/police.
9f. The population composition of the development will not have an adverse effect upon the community's capacity to provide needed school or other municipal service facilities.	No data submitted by Applicant.	Unknown <u>Applicant shall provide population analysis (at a minimum, provide estimate of number of residents the development will accommodate when complete)</u>

d. Additional consideration for Plan Commission review of PUD:

- (1) The site contains a large percentage of natural features. Two areas are identified by Southeastern Wisconsin Regional Planning Commission (SEWRPC) as environmental areas that warrant possible conservation tactics. The areas include a "Secondary Environmental Corridor" and an "Isolated Natural Resource Area". Both areas include mature woodlands. The Village Planner requested the Applicant to provide the below exhibit and quantify three things: (1) Total area of SEWRPC Environmental Areas, (2) Total area proposed to be disturbed; and (3) Total area proposed to remain.
- (2) Woodland area summary table (provided in "2020-11-18 CANOPY HILL WOODLAND EXHIBIT.pdf"):
 - i. TOTAL AREA OF WOODLANDS WITHIN SEWRPC ENVIRONMENTAL CORRIDORS: 865,237 SF (19.8 AC)
 - ii. TOTAL AREA TO BE DISTURBED: 331,340 SF (7.6 AC) (38.4%)
 - iii. TOTAL AREA TO REMAIN: 533,897 SF (12.20 AC)(61.6%)
- (3) The Plan Commission shall review and decide if the proposed disturbance is appropriate for the development.

(see figure 8 on following page for Woodland Exhibit)

Figure 8: Woodland Exhibit (submitted by Applicant)



See Page 26 of this memo for recommended PC action for Proposed PUD Zoning Overlay District

X. SITE PLAN REVIEW – MULTIFAMILY DEVELOPMENT AT CSM REDIVIDE LOT 1

- a. Site and architectural design standards are outlined in Sec. 118-821. See submitted Applicant drawings for review:
 - (1) “201110-BEAR-Canopy Hills-SCHEMATIC DESIGN.pdf”
 - (2) “2020-11-06 CANOPY HILL (MULTI-FAMILY PHASE).pdf”

- b. The site design includes three, 20-unit residential structures that are two stories in height. The buildings are oriented on the site N-S with two buildings fronting Hwy 45, one building in the rear, and centrally located surface parking and detached garage parking. Each unit has its own individual front door entry. Each building contains a mixture of unit sizes that includes the following: eleven 1-BD units, seven 2-BD units, and two 3-BD units. Figure 9 shows the proposed material selection for each building as submitted by the Architect (primary materials are highlighted).

Figure 9: Multifamily structure material selection (submitted by Applicant)

MARK	DESCRIPTION
1	ARCHITECTURAL ASPHALT SHINGLES
2	8" COMPOSITE TRIM BOARD
3	6 " COMPOSITE FRIEZE BOARD
4	COMPOSITE DOOR & WINDOW TRIM
5	HORIZONTAL LAP SIDING - 1
6	HORIZONTAL LAP SIDING - 2
7	MASONRY VENEER - BRICK
8	PRECAST CONCRETE SILL
9	PRECAST CONCRETE LINTEL
10	COMPOSITE DECK BOARDS
11	MASONRY VENEER - MANUFACTURED STONE
12	PREFINISHED ALUMINIUM GARAGE DOOR
13	
14	WOOD WRAPPED COLUMN
15	WALL MOUNTED UNIT NUMBERS
16	VINYL WINDOWS
17	PRECAST CONCRETE BAND- PROFILE #1
18	PREFINISHED METAL RAILING
19	VINYL SLIDING PATIO DOOR
20	CORNER TRIM
22	SHAKE SIDING

- c. Sec. 118-1028 of the Zoning Code specifies a minimum of 2 parking spaces per multi-family unit is required. Figure 10 below show the proposed 2.43 parking spaces per unit proposed.

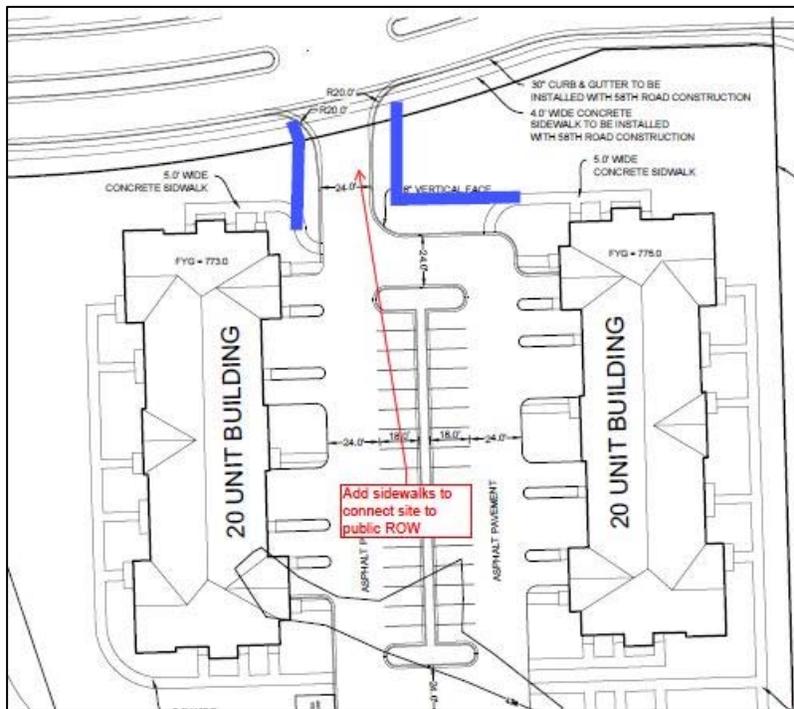
Figure 10: Proposed Parking Supply (submitted by Applicant)

<p>MULTI-FAMILY BUILDINGS TOTAL NUMBER OF BUILDINGS: 3 BUILDINGS - 60 TOTAL UNITS PARING: - ATTACHED PRIVATE GARAGES: 24 SPACES - PRIVATE SURFACE (IN FRONT OF GARAGES): 24 SPACES - DETACHED GARAGES: 18 SPACES - SURFACE PARKING: 80 SPACES - TOTAL STALLS: 146 SPACES - PARKING RATIO: 2.43 STALLS PER UNIT</p>

d. Plan Commission shall include the following statement as part of the conditional approval for the Site Plan Review:

- (1) Applicant shall revise site design to include sidewalk connection from multi-family structures to 58th Road public sidewalks.

Figure 11: Staff-required addition of sidewalks to multifamily site design



See Page 27 of this memo for recommended PC action for Proposed Site Plan Review

XI. RECOMMENDATIONS

The recommended PC actions are separated into the seven application items listed on page 1 of this memo.

1. Proposed CSM

Based upon the review of submitted materials, GRAEF recommends that the Plan Commission recommend to the Village Board the **CONDITIONAL APPROVAL** of the following:

- a. The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a CSM for the address NWQ Hwy 45 & 58th Road, Union Grove, WI (Subject Property), subject to the following conditions:
 - (1) Applicant shall provide a revised CSM that includes the proposed zoning for each lot;
 - (2) Any and all technical deficiencies identified by Village staff shall be corrected, including, but not limited to, the items listed in Section III this memo;
 - (3) Village approval of a Zoning Amendment and PUD Zoning Overlay for the Subject Property;
 - (4) Village approval of a Developer's Agreement; and
 - (5) The Applicant shall address any other issues which are raised by any approving or objecting authority, which the Village Plan Commission and/or Village Board deem necessary for the Applicant to address in the application materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Fire Chief, Village Engineer, and Village Planner.

2. Proposed CSM Redivide

Based upon the review of submitted materials, GRAEF recommends that the Plan Commission recommend to the Village Board the **CONDITIONAL APPROVAL** of the following:

- a. The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a CSM Redivide for proposed Lot 2 of the overall Subject Property CSM, subject to the following conditions:
 - (1) Applicant shall provide a revised CSM that includes the proposed zoning for each lot;
 - (2) Any and all technical deficiencies identified by Village staff shall be corrected, including, but not limited to, the items listed in Section IV this memo;
 - (3) Village approval of a Zoning Amendment and PUD Zoning Overlay for the Subject Property;
 - (4) Village approval of a Developer's Agreement; and
 - (5) The Applicant shall address any other issues which are raised by any approving or objecting authority, which the Village Plan Commission and/or Village Board deem necessary for the Applicant to address in the application materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Fire Chief, Village Engineer, and Village Planner.

3. Proposed Preliminary Plat

Based upon the review of submitted materials, GRAEF recommends that the Plan Commission recommend to the Village Board the **CONDITIONAL APPROVAL** of the following:

- a. The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Preliminary Plat approval for proposed Lot 3 of the overall Subject Project CSM, subject to the following conditions:
 - (1) Include sidewalks on both sides of all streets within the development;
 - (2) Confirm trail width and material (8' minimum, asphalt material required), Offset trail a minimum of 3' from south property line (south of proposed lot 173-174), and Provide revised trail layout plan with accessible slopes;
 - (3) 58th Road intersection with Highway 45: Remove slip lane configuration (unless TIA report mandates this configuration);
 - (4) Resolve the existing "Wisconsin Telephone Company Easement" development impact at lots 1-2, 17, 96-103. The easement location appears to cut lots in half;
 - (5) Ensure Pond 4 is appropriately sized to accommodate future senior living development at Lot 4 of proposed CSM and is located entirely within Outlot 2;
 - (6) Revise design layout of Kiddle Lane and surrounding lots 35-46 according to Village staff recommendations;
 - (7) Submission of TIA with review and approval by WisDOT and Village Engineer;
 - (8) Village approval of a Zoning Amendment, PUD Zoning Overlay, and CSM for the Subject Property;
 - (9) Village approval of a Developer's Agreement;
 - (10) Any and all technical deficiencies identified by Village staff shall be corrected; and
 - (11) The Applicant shall address any other issues which are raised by any approving or objecting authority, which the Village Plan Commission and/or Village Board deem necessary for the Applicant to address in the application materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Fire Chief, Village Engineer, and Village Planner.

4. Proposed Preliminary Condo Plat

Based upon the review of submitted materials, GRAEF recommends that the Plan Commission recommend to the Village Board the **CONDITIONAL APPROVAL** of the following:

- a. The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Preliminary Condominium Plat approval for proposed Lot 1 of the overall Subject Project CSM and proposed Lot 2 of the CSM Redivide, subject to the following conditions:
 - (1) Include sidewalk connection from duplex structures to 58th Road public sidewalks;
 - (2) Additional landscape screening (ornamental and shade trees) should be added within buffer space;
 - (3) Provide a revised site design according to staff comments in Section VI of this memo;
 - (4) Landscape Plan: Create more formal park - like spaces that have a stronger landscape composition and form that is recognizable as a place within the townhome development area;
 - (5) Village approval of a Zoning Amendment, PUD Zoning Overlay, and CSM for the Subject Property;
 - (6) Village approval of a Developer's Agreement;
 - (7) Any and all technical deficiencies identified by Village staff shall be corrected; and
 - (8) The Applicant shall address any other issues which are raised by any approving or objecting authority, which the Village Plan Commission and/or Village Board deem necessary for the Applicant to address in the application materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Fire Chief, Village Engineer, and Village Planner.

5. Proposed Base (Underlying) Zoning Amendment

Based upon the review of submitted materials, GRAEF recommends that the Plan Commission recommend to the Village Board the **CONDITIONAL APPROVAL** of the following:

- a. The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Zoning Amendment from RS-90 with PUD Overlay District to RS-80, RD-80, and RM for the address NWQ Hwy 45 & 58th Road, Union Grove, WI (Subject Property), subject to the following conditions:
 - (1) Submission of a revised rezoning exhibit to accurately label proposed zoning;
 - (2) Village approval of CSM and Final Plat for the Subject Property; and
 - (3) The Applicant shall address any other issues which are raised by any approving or objecting authority, which the Village Plan Commission and/or Village Board deem necessary for the Applicant to address in the application materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Fire Chief, Village Engineer, and Village Planner.

6. Proposed PUD Zoning Overlay

Based upon the review of submitted materials, GRAEF recommends that the Plan Commission recommend to the Village Board the **CONDITIONAL APPROVAL** of the following:

- a. The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Planned Unit Development Overlay District (PUD) for the Subject Property, subject to the following conditions:
 - (1) Applicant shall provide a population analysis (at a minimum, provide estimate of number of residents the development will accommodate when complete);
 - (2) Public walks should be constructed on both sides of all public streets and meet the State of Wisconsin Handicapped Access Requirements;
 - (3) Revised PUD narrative shall be submitted that includes the deviation to allow for RM Zoning District lot width to be 431.91' for Lot 4;
 - (4) Revised PUD narrative shall be submitted that includes the deviation to allow for RM Zoning District lot width to be 571.86' for Lot 1 of proposed redivision of Lot 2;
 - (5) Village approval of Base Zoning Amendments, CSM, Final Condo Plat, and Final Plat for the Subject Property;
 - (6) Village approval of a Developer's Agreement;
 - (7) Any and all technical deficiencies identified by Village staff shall be corrected; and
 - (8) The Applicant shall address any other issues which are raised by any approving or objecting authority, which the Village Plan Commission and/or Village Board deem necessary for the Applicant to address in the application materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Fire Chief, Village Engineer, and Village Planner.

7. Site Plan Review (Multifamily Lot)

Based upon the review of submitted materials, GRAEF recommends that the Plan Commission recommend to the Village Board the **CONDITIONAL APPROVAL** of the following:

- a. The request of Newport Group, LTD (Owner) and Bear Development, LLC (Applicant) for a Site Plan Review for multifamily development on proposed Lot 1 of the CSM Redivide, subject to the following conditions:
 - (1) Applicant shall revise site design to include sidewalk connection from multi-family structures to 58th Road public sidewalks;
 - (2) Village approval of a Zoning Amendment, PUD Zoning Overlay, and CSM for the Subject Property;
 - (3) Village approval of a Developer's Agreement; and
 - (4) The Applicant shall address any other issues which are raised by any approving or objecting authority, which the Village Plan Commission and/or Village Board deem necessary for the Applicant to address in the application materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Fire Chief, Village Engineer, and Village Planner.