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The Avenue
275 West Wisconsin Avenue, Suite 300
Milwaukee, WI 53203
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

MEMORANDUM

TO: Plan Commission
Village of Bristol

Copies to: Randy Kerkman, Village Administrator
Renee Brickner, Village Clerk
Ben Wood, P.E., Village Engineer, Strand & Associates

FROM: Dominic Marlow, AICP, Village Planning Consultant

DATE: June 18, 2024

SUBJECT: Review of the following:

- 1) The request of Joann Rubio (LEO@Bristol LLC c/o Advenir Development LLC) 13830 58th Street North #410, Clearwater, Florida 33760 (Applicant) and Bristol 130th & 50 LLC 401180th Street, Kenosha, WI 53142 (Owner) for a 3-lot CSM on tax parcels #37-4-121-122-0334, #37-4-121-111-0400, and #37-4-121-122-0200;
- 2) The request of Joann Rubio (LEO@Bristol LLC c/o Advenir Development LLC) 13830 58th Street North #410, Clearwater, Florida 33760 (Applicant) and Bristol 130th & 50 LLC 401180th Street, Kenosha, WI 53142 (Owner) for a Detailed Implementation Plan (Site Plan) Review on tax parcels #37-4-121-122-0334, #37-4-121-111-0400, and #37-4-121-122-0200, Village of Bristol, Kenosha County Wisconsin.

I. INTRODUCTION AND BACKGROUND

The Subject Property is approximately 90 acres in size and is located at the dead end of 130th Avenue. The Applicant has submitted an application dated May 23, 2024 for a Detailed Implementation Plan (Site Plan) Review and Certified Survey Map on the Subject Property. The Subject Property was previously approved for a Planned Unit Development (PUD) Overlay to allow for the innovative development of rental units in multiple buildings and increased building height and units per structure in the R-9 district.

The approved PUD functions as a zoning district for the site in the form of a General Development Plan. The review of the PUD from May 2023 functions as the General Development Plan for the Subject Property along with the materials submitted by the Applicant. These materials are used to review Detailed Implementation Plans which follow the same review procedures as Site Plans. Detailed Implementation Plans are reviewed for "substantial conformance" with the General Development Plan.

Note that the PUD overlay does not cover the entire Subject Property. Portions of the property are reserved for public improvements only, such as park and street facilities. For informational purposes, this property is located at the dead end of 130th Avenue, 2400 feet South of the intersection of STH 50 (75th Street).

The following documents were submitted by the Applicant and used for review by the Village Planner:

- a. "General Zoning, Land Division, Site Plan Review Application Form" (5 sheets, dated 05/23/2024)
- b. "Roadway and Public Infrastructure for LEO Living – Bristol" (36 sheets, dated 05/10/24)
- c. "Private Improvement Plans for LEO Living – Bristol" (57 sheets, dated 05/28/23)
- d. 3-lot Certified Survey Map (15 sheets, dated 05/24/24)
- e. 2-lot Certified Survey Map (7 sheets, dated 05/24/24)
- f. "Re: 02/02/2024 – Leo Living Private Improvements Plan Review" (5 sheets, dated 05/30/24; prepared by Pinnacle Engineering Group)
- g. "RE: Leo Living Bristol Northeast Parcel Non-federal Exemption Request" (2 sheets, dated 04/30/24)
- h. Additional Documents received:
 - (1) East Property Line – Proposed Cross-Section Exhibit (1 sheet, dated 06/06/24)
 - (2) Existing Tree Survey Exhibit (1 sheet, not dated)
 - (3) Landscape Plan (1 sheet, dated 12/19/23)
 - (4) Narrative of Changes (2 sheets, dated 06/13/2024)

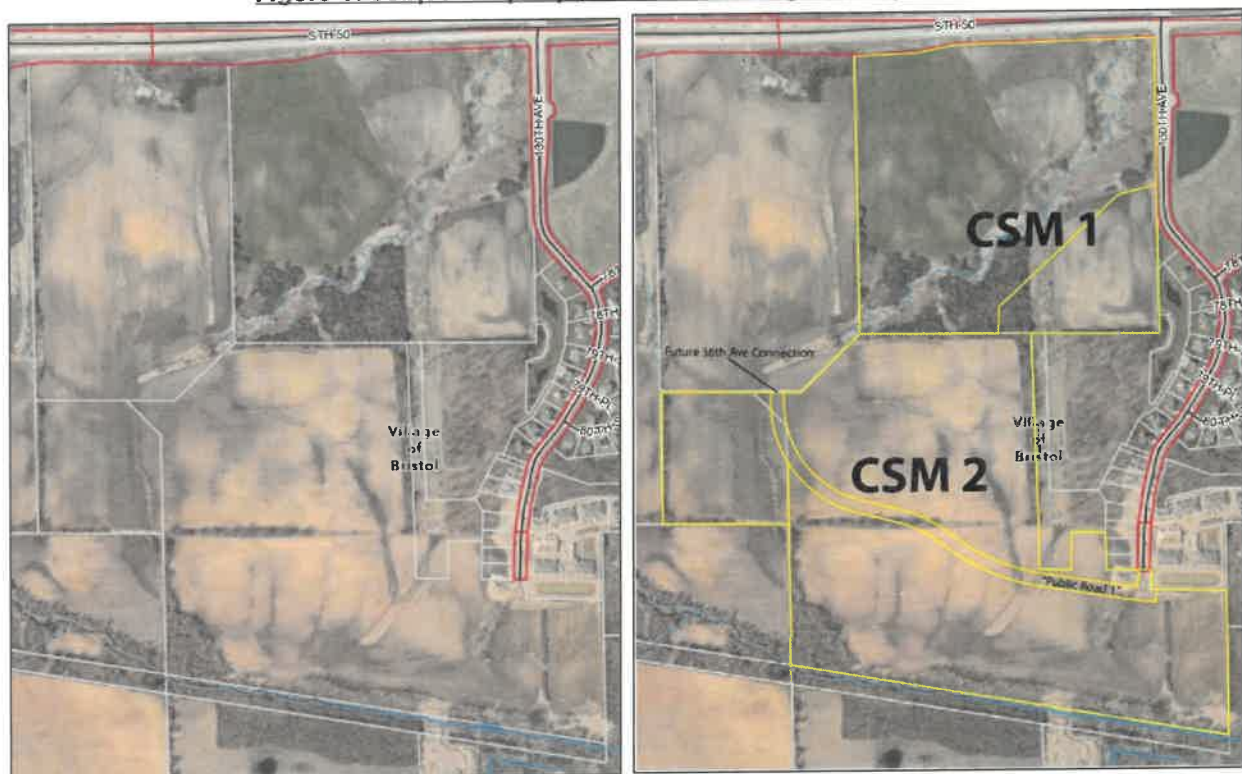
It is the understanding of GRAEF that reviews and comments on all engineering-related aspects of the proposed PUD are to be accomplished by the Village Engineer. Therefore, GRAEF defers all engineering-related review and comment to the Village Engineer.

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

II. PROPOSED CERTIFIED SURVEY MAP

Requirements for Certified Survey Maps are found in Title 14 Subdivision and Platting Sec. 14-1-35. Certified Survey Maps are required when it is proposed to divide land into at least two (2) but not more than four (4) parcels or building sites, any of which is thirty-five (35) acres or less in size.

Figure 1: Subject Property (Parcels – Existing vs. Proposed)



The Applicant is proposing to divide the Subject Property into 4 lots via 2 CSMs. The CSM #1 – the “Tricoli Parcel” splits the existing parcel #37-4-121-122-0200 into two lots. CSM #2 – “LEO@Bristol” combines Lot 2 from CSM #1 with part of existing parcel #37-4-121-122-0334 and creates two more lots and dedicates a public road designated as “Public Road 1” with the following characteristics:

Table 1: 2-Lot CSM #1 Characteristics (“Tricoli Parcel”)

	Size	Street Frontage	Features
Lot 1	45.5514 Acres	STH 50; 130 th Avenue	Includes un-named tributary to Center Creek, floodplain, and wetlands. No development is proposed on this lot.
Lot 2	10.0000 Acres	130 th Avenue	Contains wetlands in center and southeast portion of site. Wetlands in center proposed to be filled (Same wetlands as Lot 1 of the 3-Lot CSM)

Table 2: 3-Lot CSM #2 Characteristics (LEO @ Bristol)

	Size	Street Frontage	Features
Lot 1	39.2587 Acres	Newly dedicated "Public Road 1"	Includes Lot 2 of the 2-Lot CSM below. Contains floodplain along the northwest portion of the site. Contains isolated wetlands in the northeast portion and center of the site. <u>Proposed filling of wetlands of the two isolated portions internal to the site.</u>
Lot 2	39.5564 Acres	130 th Ave; Newly dedicated "Public Road 1"	Contains wetlands and floodplain along the south and east portion of the site
Lot 3	10.1884 Acres	Newly dedicated "Public Road 1"	Contains wetlands, floodplain, and a tributary to Center Creek running north-south across the site.
Public Street Dedication – "Public Road 1"	3.9010 Acres	N/A	Traverses floodplain. Future extensions of this roadway will need to traverse wetlands.

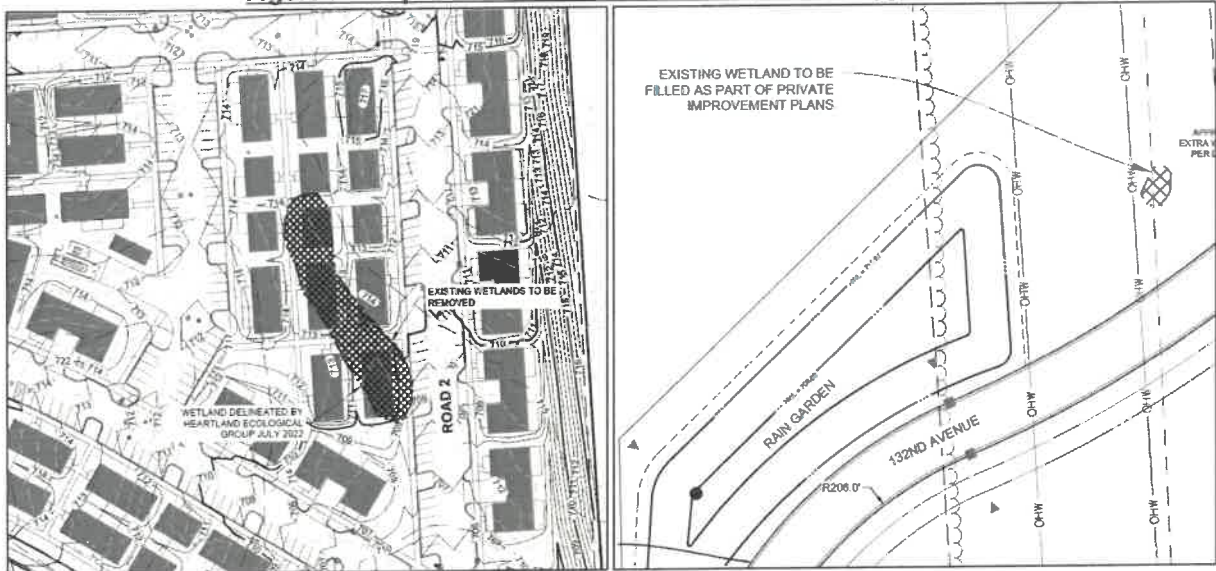
**Naming conventions for new public streets are not confirmed. References to a newly dedicated "Public Road 1" are used to refer to the new east-west street proposed through the Subject Property. For informational purposes, this street is likely to transition to a future "136th Avenue" running north-south. This transition may occur with an intersection or by other means. Future development will determine the nature of the continuation of this public street. Sec 14-1-70: Street names shall be assigned by Kenosha County.*

Natural Resource Protection Plan: Properties proposed to be divided by CSM that contain natural resources required to be preserved shall have deed restrictions and/or conservation easements filed with the Certified Survey Map.

- A. The Applicant has sought non-federal wetland exemption for the wetlands on the Subject Property. Correspondence from the Wisconsin Department of Natural Resources in the submittal "RE: Leo Living Bristol Northeast Parcel Non-federal Exemption Request" (2 sheets, dated 04/30/24) has been provided showing approval for non-federal wetland exemption. State-approved non-federal wetland exemption does not exempt the Applicant from local regulations. Local regulations are discussed below:
- B. Title 14, Table 4 specifies the Natural Resource Protection Standards for wetlands, streams, and floodplains. Mitigation is permitted in non-residential districts for wetlands, streams, and floodplains, but mitigation is not permitted in residential districts for wetlands and floodplains. The intent of this restriction in residential districts is interpreted as a mechanism to ensure compliance because small-lot residential development is not subject to the same oversight as other types of development. Due to the nature of a Planned Unit Development (PUD) being a special district, Village Planner is not concerned about the filling of these isolated wetland pockets because the PUD is not a typical residential district and the developer may be held accountable to ensure mitigation is conducted. **Applicant shall submit a Natural Resource Protection Plan demonstrating that 100% of the disturbed wetlands shall be mitigated within the same sub-watershed.**

- a. Defer to Village Engineer for method of mitigation

Figure 2: Proposed Wetlands to be Filled (Source: Applicant)



C. All other wetlands, floodplains, and streams shall be shown as protected by conservation easement on the proposed CSM and are not to be disturbed.

D. Sec 14-1-90 specifies the protection standards for woodlands and forests. Determination of the presence of woodlands and forests shall be determined by SEWRPC aerial photography or by a tree survey conducted by a registered surveyor with tree species identified by a landscape architect, arborist, forester, or botanist. The area shall be delineated on a Natural Resource Protection Plan including the location, size, and species of all healthy trees having a diameter of six (6) inches or greater diameter at breast height (DBH) located in wooded areas within twenty-five (25) feet of any proposed improvement or grading. Remaining areas may be shown with an outline of the canopy/drip line of the wooded area. Mature woodlands shall be mitigated at a ratio of 70% compared to the existing condition; young woodlands shall be mitigated at a ratio of 50% compared to the existing condition.

- a. The Applicant has provided an Existing Tree Survey Exhibit showing 34 removed trees with DBH six inches (6") or greater in fair or better condition totaling 871 inches of removed trees across only a portion of the site. 70% of 871 inches is 610 inches. The Landscape Plan shows 259 trees to mitigate the lost trees totaling 647.5 inches caliper – using 4 tree whips to equal 1" of caliper as allowed in the Village's Natural Resource Feature Mitigation standards for woodlands. The proposed trees are a mix of Littleleaf Linden, Honey Locust, and Crabapple. There are also 267 Orange Dogwood shrubs proposed. Additional plantings are included in the Landscape Plan that are not subject to mitigation requirements such as the zoning bufferyard, discussed later in this memo.

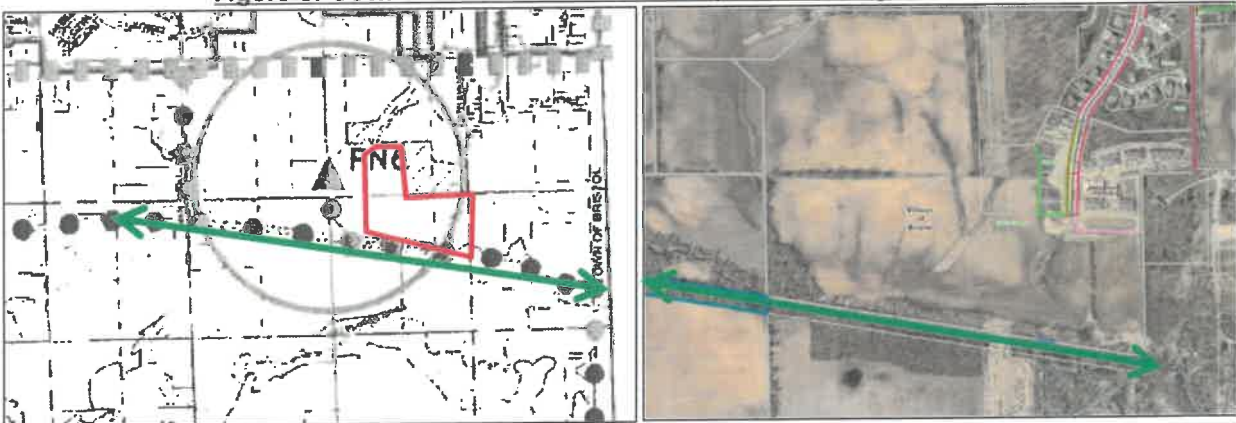
- b. The submitted Existing Tree Survey Exhibit does not show the entire extents of the trees along the eastern property line. Without a full survey of removed trees, it is impossible to calculate the required mitigation.
 - c. The Applicant shall submit a Tree Survey showing the entire extent of impacted trees on the site.
 - d. Areas of woodlands proposed not to be disturbed shall be shown as protected by conservation easement on the proposed CSM.
- E. Further discussion of landscaping on the Subject Property are discussed in the review of the Landscape Plan in section III.E. of this memo.

Required Improvements for Certified Survey Maps: Certified Survey Maps must comply with the Required Improvements and Design Standards of Chapter 1, Articles F and G, respectively, of the Title 14 Subdivision and Platting ordinance.

- A. Landscape Plan: A landscape plan is required showing the locations, age, caliper, species, and time of planting of any required grasses, vines, shrubs, and trees meeting the requirements of Sec. 14-1-45. A landscape plan has been submitted and is reviewed in section III.E. of this memo.
- B. Construction Timing: Construction of all improvements required by the Subdivision and Platting ordinance shall be completed within two (2) years from the date of approval by the Village Board unless good cause can be shown for the Village Board to grant an extension unless another time frame is set forth in the developer's agreement for phased developments as approved by the Village Board.
 - a. The Applicant has not provided an updated construction timing schedule. According to the General Development Plan, the project was proposed to be conducted according to the following phases: (Phases that deviate from this schedule are highlighted)
 1. Construction of Public Roads, 130th Avenue connection to the northeast, and two of three stormwater ponds.
 2. 1 block of cottages and surrounding private streets.
 3. 1 block of cottages and surrounding private streets.
 4. 1 block of cottages and surrounding private streets.
 5. Most of 1 block of cottages and surrounding private streets, Multi-family clubhouse.
 6. 1 block of cottages and some of surrounding private streets, 2 of the multi-family buildings.
 7. 1 block of cottages and additional cottages across 130th Avenue connection, 1 multi-family building, final stormwater pond.

8. 1 block of cottages and additional cottages across 130th Avenue connection, 2 multi-family buildings.
 9. Complete cottages development, complete multi-family portion with 2 additional multi-family buildings.
 10. Southeast connection to 130th Avenue.
- b. The phases of the proposed Detailed Implementation Plan that deviate from the General Development Plan are related to the construction of the “Multi-family” portion of the development south of proposed “Public Road 1”. The inclusion of the “Cottages” clubhouse was not included in the project schedule from the General Development Plan, but is included in the proposed Detailed Implementation Plan. All other site improvements appear to conform to the schedule.
1. **The Applicant shall submit a revised construction timing schedule.** Substantial deviation of the new schedule from the General Development Plan shall be subject to Plan Commission review and approval.
- C. Sidewalks: Sidewalks may be required in urban areas to accommodate safe and adequate pedestrian circulation. Sidewalks must be a minimum of five (5) feet wide and located within a dedicated public right-of-way or pedestrian access easement.
- a. Sidewalks are proposed throughout the development and conform to Village requirements.
- D. Bicycle Paths and Trails: The Applicant shall install Village required bicycle paths and trails in accordance with the Village’s plans. Plans exist for “Trails and Bicycle Routes” in the 2009 Comprehensive Outdoor Recreation Plan (CORP). According to the Plan, the trail will be developed along land acquired by Kenosha County for the trail connecting all the way across the Village east to west. The proposed development is adjacent to this land owned by Kenosha County and is planned to have a future trail facility. Bicycle and walking routes in the proposed development should connect to this trail.

Figure 3: CORP Plan for Root River Trail (Source: Village of Bristol)

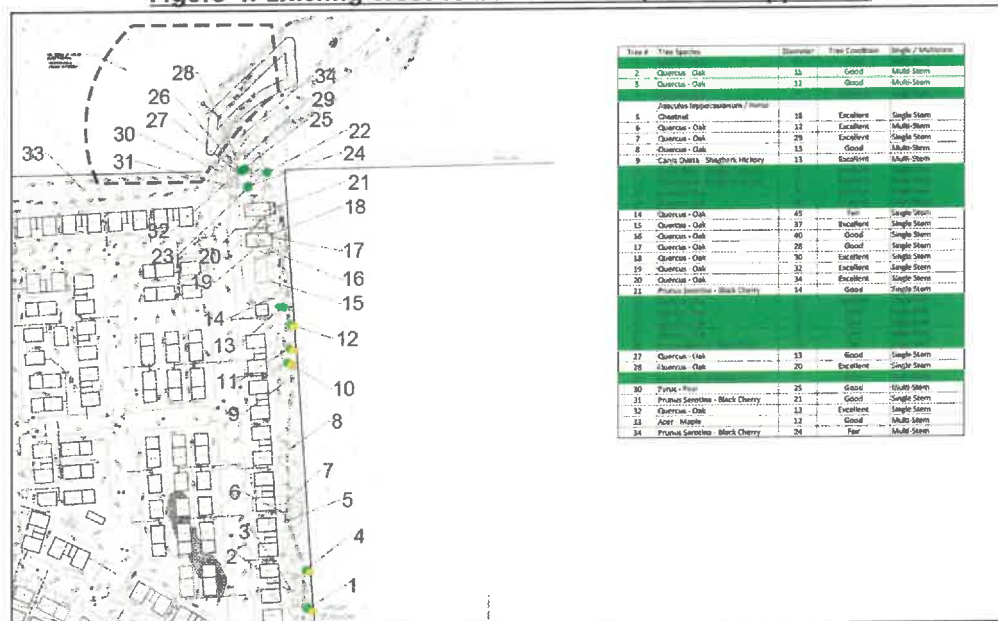


- a. No bicycle paths are proposed within the development; however, 10-foot paved sidepaths are adequate for shared use between cyclists and pedestrians so long as they are not signed to prohibit cyclists. Further, private streets within the development are anticipated to be bicycle-friendly due to their geometric design. However, there are insufficient improvements proposed connecting the Root River for a trail as planned in the 2009 CORP. A paved path should connect the development to this future trail corridor and could be included within the 20' horse path trail easement (See Figure 7).
 - b. **The Applicant shall pave a ten foot (10') wide trail in anticipation of connecting to the future Root River trail.**
- E. Street Lights: Street lights shall be installed along all streets proposed to be dedicated to the public. Because the proposed development consists mainly of private streets, street lighting internal to the site beyond "Public Road 1" is subject to review in a Detailed Implementation Plan following Site Plan Review procedures.
 - a. The Applicant has not submitted a Lighting Plan. The Applicant stated in their letter dated May 30, 2024 that a copy of the lighting plan will be submitted once completed. References to street lights on private streets are shown on the site plan submitted.
 - b. **The Applicant shall submit a lighting plan.**
- F. Street Trees: Street trees shall be dedicated along new public streets. A minimum of one (1) street tree of a Village-approved species and minimum Diameter at Breast Height (DBH) of three (3) inches for each forty (40) feet of lot frontage on each side of all streets is required. Street trees shall be planted within five (5) feet, but outside of, the public street right-of-way. Existing trees already in the prescribed locations and equal to or greater than the minimum DBH shall be counted towards the required number of street trees. No street trees shall be planted less than fifteen (15) feet from utility pole, less than five (5) feet from a driveway, less than three (3) feet from a sidewalk, or less than twenty-five (25) from another tree. Additional standards for Street Trees are found in Sec. 6-5-7.
 - a. The proposed CSM has approximately 6,078 feet of public street frontage. 152 street trees are required. The Applicant has proposed 32 street trees. Street tree locations conform to Village standards for location and distance from features, but are inadequate in number because no street trees are proposed along the south edge of the proposed "Public Road 1." Street trees should be planted on both sides of the street at the same time along "Public Road 1."
 - b. **The Applicant shall revise the Landscape Plan to plant the required number of street trees.**
- G. Existing Trees and Flora: The Applicant shall make every effort to protect and retain existing non-invasive trees, shrubbery, vines, and grasses not actually lying in public roadways, drainageways, building foundation sites, private driveways, paths, and trails in accordance with the Natural Resource Protection Plan. Such trees are to be protected and preserved during construction in accordance with sound conservation practices, including the preservation of trees by well islands or retaining walls whenever abutting grades are altered. The proposed method for preserving trees shall be reviewed by the Plan Commission or Staff. No building permit shall be granted if, in the

opinion of the Village Board, the Applicant has not taken the necessary precaution in preserving existing trees until such time as the Applicant amends the plans for the preservation of such existing trees. All grading and construction equipment shall be forbidden from encroaching within the tree's drip line.

- a. The Applicant has tried to preserve 12 large trees along the eastern property line. According to the Applicant, due to the need to table the site through grading to minimize slopes caused by the over 30' elevation change from the east to the west property lines, most trees within the property line along the eastern wooded area are under threat from grading. However, the Applicant submitted that approximately twelve (12) trees may be able to be saved with adjustments to the proposed swale contours (Figure 4). While any grading activity within the critical root system of a tree threatens the tree's survival, these trees may withstand the proposed grading if revised.

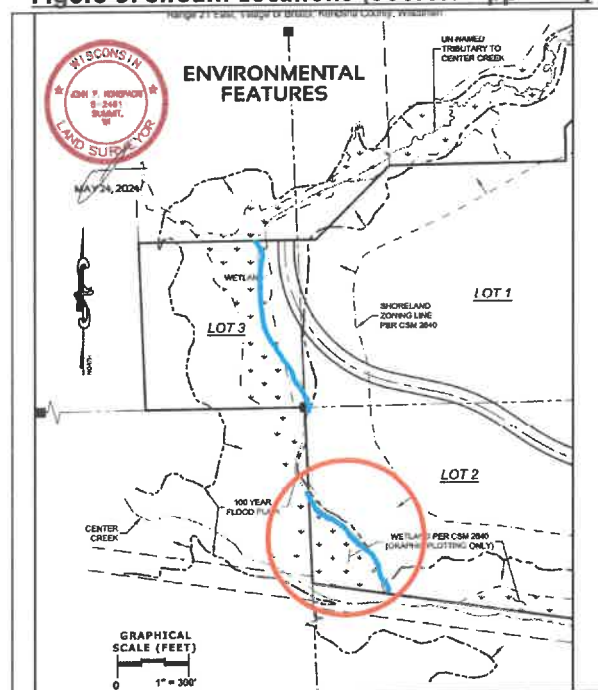
Figure 4: Existing Trees to be Preserved (Source: Applicant)



- H. Frontage: The CSM shall be designed as to provide each lot with satisfactory access to a public street or road.
 - a. The proposed CSM provides public street frontage to each proposed lot.
- I. Street Extensions: Proposed streets shall extend to the boundary lines of the tract being divided unless prevented by topography or other physical conditions or unless, upon the recommendation of the Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the land division or for the advantageous development of the adjacent tracts. Streets shall be laid out to provide for possible continuation wherever topographic and other physical conditions permit.

- a. The Applicant is proposing to terminate the proposed public road approximately 451' from the eastern boundary and 307' from the western boundary of the tract being divided. Due to the topography of the site and uncertainty as to where the best matching point for the street extension to the adjacent parcels will be, the proposed street extensions are desirable to ensure flexibility for future development.
 - b. The Applicant shall provide in a developer's agreement assurance that the proposed street extensions will be completed within their property at the property owner's expense when an extension is necessary.
- J. Stream or Lake Shore Access: Stream or lake shores shall have a minimum of sixty (60) feet of public access platted to the low water mark at intervals of not more than one-half (1/2) mile when not within a public park or abutting a street right of way. Approximately 1.13 miles of nearby stream surrounds the site with short portions of stream entering the site on the west and southwest.

Figure 5: Stream Locations (Source: Applicant)



- a. The Applicant has not proposed any stream or lake shore access easements. The Applicant shall provide a public stream access easement to the stream on the Subject Property connecting to the proposed "Public Road 1" dedicated to the Village of Bristol.
- K. Limited Access Highway Treatment: CSMs adjacent to a limited access highway such as STH 50 are typically required to include a landscape bufferyard including berm and landscape easement. However, because no improvements are proposed or planned for Lot 1 of CSM #1 – the "Tricoli Parcel," Village Planner recommends waiving this requirement until future development of the parcel is proposed. It is likely that the parcel will be developed in the future – designated as "Community

Business" Future Land Use. Sufficient landscape buffer standards apply to commercial development along State highways that will ensure proper landscape treatment in the future, rather than requiring improvements today that will likely have to be removed in the future.

- L. Cul-de-Sac: No cul-de-sac streets are proposed. Cul-de-sac streets are avoided through the use of private roads. The proposed development eliminates the cul-de-sac element from the existing 130th Avenue, and the future extensions of the dedicated public roads will eliminate public cul-de-sac streets entirely in the future.
- M. Temporary streets: Temporary street termination shall be accomplished with a temporary cul-de-sac or T-type intersection.
 - a. Defer to Village Engineer
- N. Block and Lot Design Standards: The design of the blocks and lots of the proposed CSM conforms to the Village requirements for public streets. Because the PUD overlay is intended to accommodate innovative layouts of buildings, it is acceptable that the block design of the private street layout is generally smaller than that desirable by Village ordinances. The smaller block design allows the development to achieve its desired goals of increased walkability, adequate circulation and parking, and smaller buildings than would otherwise be proposed without PUD. The Plan Commission has reviewed and approved the block and street layout in the PUD.
- O. Access: A minimum of 60 feet of frontage along public streets is required for all lots.
 - a. The Applicant is proposing greater than 60 feet of frontage for all lots.

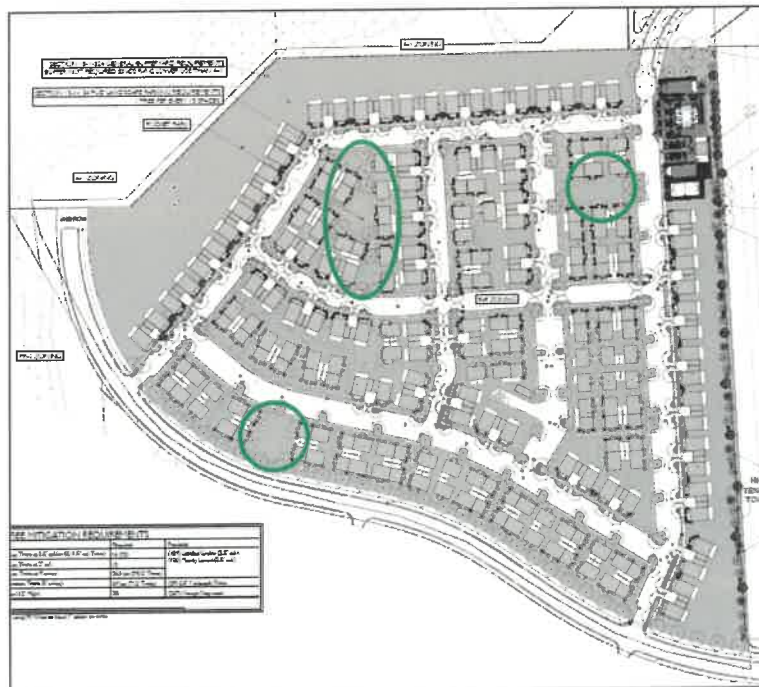
Park and Public Land Dedications:

- A. Park and Public Land Dedication standards were reviewed and included as part of the General Development Plan for the approved PUD on the Subject Property. Conformity with the other requirements of the General Development Plan are reviewed in detail in Section III of this memo. The General Development Plan requires the following:
 - a. 10.31 acres of public outdoor recreation land dedication.
 - i. 10.1884 acres is proposed. Village Planner is not concerned with the proposed reduction of public space to be dedicated.
 - b. Over six (6) acres of common open space.
 - i. The overall layout of the development has not changed such that the areas of common open space could be reduced.
 - c. Seven (7) mini-parks totaling 2.3 acres as shown in the Concept Plan with five (5) mini-parks in the "Cottages" portion and described in the General Development Plan narrative. (Figure 6)
 - i. The Applicant has reduced the number of mini-parks or "pocket parks" in the "Cottages" portion from five (5) to three (3). This is a substantial deviation from the General Development Plan in the opinion of the Village Planner.
 - ii. **The Applicant shall revise the Detailed Implementation Plan to include five (5) mini-parks north of the proposed "Public Road 1."**

Figure 6: Proposed Mini-Parks (Top: General Development Plan; Bottom: Detailed Implementation Plan) (Source: Applicant)



Future park connection



No future park connection shown

- d. Natural areas are to be maintained within the site. Pathways to the existing Village trailhead located to the east of the Power Line easement will link the LEO residential development to public facilities.
 - i. A connection to the trail head has been removed in the Detailed Implementation Plan. The Narrative of Changes submitted by the Applicant states the reason for this is due to the grading required along the eastern property boundary. A new connection is referenced in the narrative but not shown on the site plan. A connection should be included that is as direct as possible to connect to the Village park and trail head facility to the east of the Power Line easement.
 - ii. **The Applicant shall revise the Site Plan to include pathways to the existing Village trailhead located to the east of the Power Line easement.**
- B. CSMs including public parks shall be made a part of the CSM and dedicated or reserved by the Applicant in the locations and dimensions indicated by an approved plan.
 - a. The Applicant has stated on the face of the CSM that the 10.1884 acre Lot 3 is “DEDICATED FOR PUBLIC PARK PURPOSES.”
 - b. Defer to Village Attorney
- C. Suitability: Land dedicated for public recreational purposes is generally not suitable for such purposes when located within the floodplain. The majority of the land to be dedicated via CSM #2 – Lot 3 is within the floodplain and contains wetlands. As a result, the standards for improvements to this site may not be appropriate for the development of this space as a public park. Instead, improvements to the park to be dedicated will be assessed based on their suitability in the floodplain and to minimize impacts to natural resource features. Best practices for hazard mitigation in public recreational facilities should be followed, such as from FEMA.¹
 - a. The Applicant has not submitted plans for the improvement of public parks.
- D. Minimum Site Preparation: When public sites are dedicated, the Applicant shall properly grade and contour the public site for proper drainage and for the anticipated use of the area, cover areas to be seeded with a minimum of four (4) inches of quality topsoil consisting of natural loam, sandy loam, silt loam, silty clay loam, or clay loam humus-bearing soils adapted to the sustenance of plant life and such topsoil shall be neither excessively acid nor excessively alkaline, and provide such improvements to the public site as may be agreed upon in a developer’s agreement.
 - a. The Applicant has not submitted a plan for public improvements related to public recreational facilities.
 - b. **The Applicant shall submit a plan for the improvement of public lands to be dedicated in a developer’s agreement.**

¹ FEMA P-2181, Hurricane and Flood Mitigation Handbook for Public Facilities: Fact Sheet 5.1: Parks and Recreational Facilities

III. PROPOSED DETAILED IMPLEMENTATION PLAN (SITE PLAN)

For the purposes of reviewing Detailed Implementation Plans as part of a Planned Unit Development over the R-9 Multiple-Family Residential District, Site Plan Review procedures shall be followed to assess conformance with Village Site Plan standards and consistency with an approved General Development Plan as part of the Planned Unit Development and the underlying base zoning district for those standards which are not defined by the PUD General Development Plan.

Detailed Implementation Plan Requirements: The Applicant has submitted a Detailed Implementation Plan. Detailed Implementation Plans shall include the following:

- A. Written statement describing the area of the proposed development and its relationship to the General Development Plan, along with a description of any proposed variations. Variations approved from the General Development Plan relevant to this phase of the Detailed Implementation Plan are as follows:
 - i. Parking requirements are reduced from 2-2.625 spaces/unit to 1.96 spaces/unit for the cottages portion of the development (residential structures north of the proposed "Public Road 1").
 - ii. All other variations are related to the multi-family portion of the development in the approved General Development Plan proposed to be constructed in a future phase of the development.
- b. The Applicant has submitted a written statement describing the following changes. (See Narrative of changes, 2 pages, dated 06/13/2024 for full response)
 - i. Change in number of units: reduced proposed number of units from 275 to 230.
 - ii. Change in unit mix: More 2-bed and 3-bed "cottage" units are proposed as a proportion of the site overall. Exact counts were not provided.
 1. **The Applicant shall provide complete unit counts for the revised mix of units.**
 - iii. Change in parking: Increase in the total number of parking spaces to 156 covered garage spaces and 403 surface on-street parking for a total increase in the number of spaces from 539 to 559. Proposed parking ratio is 2.4 spaces per unit.
 - iv. Relocation of connection to Village Park (east property line): The Applicant has removed any connection to the future Village Park to the east of the Subject Property beyond the overhead electrical wire utility easement. During the Sketch Plan Review phase of the proposed development, Village Planner worked with the Applicant to site the proposed east-west connection to the future Village Park along the alignment of the east-west street (See Figure 6) to provide convenient circulation. This removal is a substantial change from the General Development Plan.
 1. **The Applicant shall provide an east-west access from the development to the future Village park.**
 - v. Relocation of public park along public right of way: The Applicant has stated that the relocation of the park along the proposed "Public Road 1" (See Figure 6) is to facilitate "better alignment of proposed units along the public roadway and

parking lot.” No explanation is provided to explain how the proposed alignment of units is better. Village Planner does not see the need to relocate this park for such purposes. During the Sketch Plan Review phase of the proposed development, Village Planner worked with the Applicant to site the proposed park in the location central to “Public Road 1” to give better access to the space for residents and to help organize the overall hierarchy of the site.

1. **The Applicant shall revise the Detailed Implementation Plan to place the mini-park central to the proposed “Public Road 1” aligned with the perpendicular private street to the north.**

B. Survey and Topography of the existing site conditions with existing utilities and easements.

- a. Submitted. The existing conditions show the site topography with approximately 44 feet of grade change from the high point to the low point of the site. The site is surrounding on the south, west, and north by wetlands, floodplain, and creek flowing from north to south around the site. Multiple easements are present including conservation easements, horse trail easements, and utility easements. Isolated wetlands are present internal to the site surveyed by Heartland Ecological Group. Multiple tree lines are noted adjacent to proposed grading activities. Overhead electrical lines and high tension towers cross the site north-south. Utilities along 130th Avenue are shown for stormwater infrastructure.

C. Site Development Plan showing the following:

a. Proposed circulation:

- i. The Site Plan shows public and private roads with the same orientation and layout as the General Development Plan. Driveway locations have changed from the General Development Plan due to the change in composition of buildings and building types, because some building types have driveways while others do not. No driveway connections to public roads are changed to the north portion of the site. The number of driveway cuts to access the future south portion of the site has been reduced from 3 to 2.

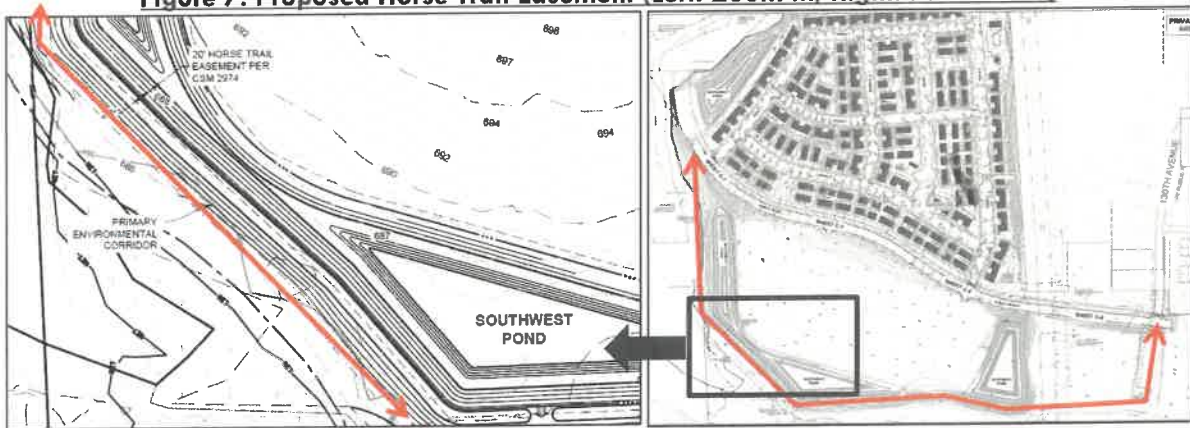
1. The changes in driveway locations are generally acceptable and do not change the overall character or nature of the development. The reduction of the number of driveway cuts made to the southern portion of the site is acceptable and preferable to more driveway cuts which are discouraged on public roads.

- ii. The proposed walkways are mostly unchanged internal to the site; however, the sidewalk along the private “Road 2” connecting to 130th Ave only shows pedestrian facilities as a 10’ sidepath on the southeast side of the street. Along “Public Road 1”, there are two proposed pathways parallel to each other - a 5’ sidewalk in front of the cottages and a 10’ sidepath along the roadway. Only the proposed 10’ sidepath continues east to the existing 130th Ave whereas the previous concept continued the 5’ sidewalk. **No connections to the southern**

portion of the site such as locations for ADA curb ramps or crosswalks are shown which would cross north-south across the dedicated Public Road 1.

1. The sidewalk and sidepath along "Public Road 1" are redundant but acceptable. The Applicant shall revise the Site Development Plan to include ADA curb ramps and crosswalks to the southern portion of the site.
- iii. A 20-foot (20') "Horse Trail Easement" is shown around the southern portion of the site (Figure 7). The new trail does not show any improvements beyond grading and is assumed to be unpaved. No pathways are shown around the northern perimeter of the site providing access to the environmental corridors and stormwater ponds as required by the General Development Plan. No pathway east to connect to the future park beyond the overhead electrical lines are shown between buildings as required by the General Development Plan. Besides the changes in driveways, the pattern of parking facilities is generally the same as in the General Development Plan; however, overall counts may have changed.
 1. The Applicant shall provide pathways around the northern perimeter of the site to provide access to environmental features and stormwater paths, and pathways to the east connecting the community building to the future park beyond the overhead electrical wires.

Figure 7: Proposed Horse Trail Easement (Left: Zoom in; Right: Full extents)



- b. Detailed lot layout and building arrangement: The general layout of lots is the same as in the General Development Plan. There are still only 3 lots proposed. All proposed development in this phase of the Detailed Implementation Plan is occurring in Lot 1 of CSM #2. This lot now includes the southeastern portion of the "Tricoli parcel" to create a connection to 130th Ave. Slight changes are noted in the alignment of the western edge of Lot 1 with the Lot 3 to be dedicated for a public park, due to the final proposed alignment of Public Road 1, resulting in a slight reduction in the total area of Lot 3 from

10.31 acres to 10.19 acres. This does not impact the requirements of the General Development Plan. The building arrangement has been significantly rearranged but generally conforms to the same pattern. Building setbacks from the curbs of private streets have been substantially increased – around five (5) additional feet in many areas. Fifteen (15) foot setbacks along private roads are preferred where feasible. The Applicant has not provided an explanation as to the increased and inconsistent setbacks. There is an increased number of cottages with attached garages. The carriage house design with units above garages has been removed entirely.

- i. The proposed lot layout conforms to the General Development Plan. The new building arrangement is acceptable, but will require confirmation of the quantities approved in the General Development Plan. Inconsistent and increased setbacks to private roads are not desirable and should be revised to match the General Development Plan where possible. Decreased setbacks are preferred to minimize impervious surface impacts. Plan Commission to determine the acceptability of increased and inconsistent building setbacks as proposed.

Figure 8: Setbacks (Source: Applicant)



- c. Intended use of non-residential buildings: Three occupiable non-residential structures are proposed at the entrance to the development at the north for a community building and office. Two non-occupiable buildings are proposed for waste enclosure and a lift station. Plans and locations for these structures are substantially similar to those detailed in the General Development Plan.
 - i. The proposed non-residential buildings conform to the General Development Plan.
- d. Specific treatment of open spaces: Minimal detail is included for the treatment of open spaces. The general location and landscaping of these spaces is submitted. The location of the pocket park along Public Road 1 has changed from along the main central north-

south axis of the development to a location further west beyond 3 sets of buildings. **A green space appears to have been removed** due to the rearrangement of buildings in the block between Road 6 and Road 7, north of Road 4. **Another green space appears to have been removed** due to the rearrangement of buildings in the block between Road 7 and Road 2, south of Road 4. Pathways to natural features and around the development are not included.

- i. The concept for pocket parks included in the General Development Plan is preferred to the concept submitted in the Detailed Implementation Plan. Pocket parks should be located throughout the development and in highly visible locations to communicate openness, accessibility, and safety to members throughout the community. A reduction in the amount of improved park space is not acceptable. **The Applicant shall revise the Site Development Plan to include the required amount of pocket parks including additional details as to their improvements such as furnishings, additional landscaping, recreational facilities, and amenities.**
- D. Grading Plan: A grading plan has been submitted. However, conditions of approval listed in this memorandum may require significant changes to site grading.
 - a. **The Applicant shall revise the site grading plan to reflect the any future changes in the site development plan, and changes to site grading shall not further impact natural resource features on the Subject Property.**
- E. Landscape Plan: The submitted Landscape Plan shows plantings throughout the development including:
 - a. Zoning Bufferyard: A Type 1D landscape buffer is shown along the eastern property line to buffer the nearby R-5 district beyond the adjacent C-2 district. A note is shown on the landscape plan along Public Road 1 stating that no bufferyard is required since R-9 is lower use than A-1. This note is superfluous and should be removed. Instead, future development in Lot 2 of CSM #2 will specify the bufferyard standards for adjacent zoning districts.
 - i. **The Applicant shall install a Type 1 Bufferyard along the east property line along the overhead electric wire utility easement.**
 - ii. **The Applicant shall remove the note along Public Road 1 stating "Section 13-1-324 general bufferyard requirements buffer not required since R-9 is lower use than A-1"**
 - b. Street Bufferyard: Street bufferyards are required for the R-9 district adjacent to collector streets, arterials, and highways. They are not required for minor streets. The functional roadway classification of the street has not yet been determined. For context, 130th Ave is classified as a local street.² Village engineer shall determine the need for additional landscape buffers along the proposed "Public Road 1."
 - i. Defer to Village Engineer.

² <https://wisconsindot.gov/Documents/projects/data-plan/plan-res/functional/urban/kenosha.pdf>

- c. Fences, walls, signs, and lighting: No plans are shown for fencing, walls, signage, or lighting.
 - i. **The Applicant shall submit plans for fencing, walls, signs, and a Lighting Plan.**
- d. Foundation Plantings: Foundation plantings are included throughout the development for all structures.
- F. Architectural Plans: Architectural plans have not been submitted.
 - a. **The Applicant shall submit architectural plans.**
- G. Stormwater, sanitary sewage disposal, and water system plans. Engineering standards for all roads, parking areas, and walkways.
 - a. Defer to Village Engineer
- H. Agreements, bylaws, covenants, and other documents providing for permanent preservation and maintenance of common open space areas and amenities.
 - a. Defer to Village Attorney
- I. A schedule and map as to the intended phasing of the development.
 - a. The original PUD included a phasing plan with 10 phases starting with the construction of public roads and stormwater facilities, except for the southern connection to 130th Avenue, then proceeding to the “cottages” portion as proposed in this Detailed Implementation Plan, then proceeding with the “multi-family” portion, and concluding with the remaining connection to 130th Avenue on the south end of the development. **The Applicant shall submit an updated phasing plan.**

Variations in the Detailed Implementation Plan from the General Development Plan:

- A. Consistent with the basic goal of limited flexibility, minor variations may be subsequently permitted in details of the approved plans, subject to the approval of the Plan Commission. The introduction of any new category of use or increase of more than two percent (2%) from the approved density shall automatically constitute a substantial variation. Major changes include, but are not limited to the following:
 - a. Change in the boundaries of the PUD District: No changes proposed.
 - b. Any changes in the permitted use to a less restrictive use: No changes proposed.
 - c. Any construction of an accessory building or structure that is greater in dimensions than permitted by Article K: Each accessory structure shall not exceed 4,000 square feet for a clubhouse and 2,500 square feet for all other accessory structures. The proposed clubhouse and office are approximately 1,450 square feet each. The proposed lift station is approximately 2,700 square feet. Defer to Village Engineer for the size of the proposed lift station.
 - d. Any increase in the number of dwelling units over limits allowed by PUD: No increase is proposed.
 - e. Any change in the lot area or width requirements which were established at the time of approval: No changes proposed.
 - f. Any change in the yard requirements which were established at the time of approval: No changes proposed.

- g. Any change in the amount of maintenance responsibility of common open space: No changes proposed.
- h. Any change in street locations or alignment: No substantial changes proposed. The initial layout of the proposed "Public Road 1" were conceptual and the proposed alignment is substantially similar to that shown in the General Development Plan.
- i. Any change in the drainage plan: No changes proposed.
- j. Any subsequent land division: None proposed.
- k. Any change in the final governing agreements, provisions or covenants, agreed upon at the time of approval: No changes proposed.
- l. Any other change which is determined by the Zoning Administrator to constitute a major change: No changes.

IV. RECOMMENDATIONS

The following recommendations from GRAEF for the Subject Property are as follows:

Based upon the review of submitted materials, GRAEF has included three potential actions listed below for the Plan Commission to consider for recommendation to the Village Board

- a. **Certified Survey Map Agenda Item:** The request of Joann Rubio (LEO@Bristol LLC c/o Advenir Development LLC) 13830 58th Street North #410, Clearwater, Florida 33760 (Applicant) and Bristol 130th & 50 LLC 401180th Street, Kenosha, WI 53142 (Owner) for a 3-lot CSM on tax parcels #37-4-121-122-0334, #37-4-121-111-0400, and #37-4-121-122-0200:
 - a. **CONDITIONALLY APPROVE** the Application, pending the submission of additional information listed below and agreement to proposed use. NOTE: Plan Commission shall review the below conditions and cross out any conditions that are deemed unnecessary.
 - b. **TABLE** the agenda item until additional information is submitted to the Village and the Plan Commission can review and take action at next month's meeting to confirm that any discussed business operation components are addressed.
- **Conditions recommended by GRAEF** to include if "conditional approval" of the proposed Detailed Implementation Plan is desirable to the Plan Commission:
 - (1) Applicant shall submit a Natural Resource Protection Plan demonstrating that 100% of the disturbed wetlands shall be mitigated within the same sub-watershed; and
 - (2) All wetlands, floodplains, and streams not to be disturbed shall be shown as protected by conservation easement on the proposed CSM; and
 - (3) The Applicant shall submit a Tree Survey showing the entire extent of impacted trees on the site; and
 - (4) Areas of woodlands proposed not to be disturbed shall be shown as protected by conservation easement on the proposed CSM; and
 - (5) The Applicant shall submit a revised construction timing schedule; and
 - (6) The Applicant shall pave a ten foot (10') wide trail in anticipation of connecting to the future Root River trail;
 - (7) The Applicant shall submit a lighting plan; and
 - (8) The Applicant shall revise the Landscape Plan to plant the required number of street trees; and
 - (9) The Applicant shall provide in a developer's agreement assurance that the proposed street extensions will be completed within their property at the property owner's expense when an extension is necessary; and

- (10) The Applicant shall provide a public stream access easement to the stream on the Subject Property connecting to the proposed "Public Road 1" dedicated to the Village of Bristol; and
- (11) The Applicant shall NOT be required to install a landscape bufferyard along STH 50 for the purposes of this development; and
- (12) The Applicant shall revise the Detailed Implementation Plan to include five (5) mini-parks north of the proposed "Public Road 1;" and
- (13) The Applicant shall revise the Site Plan to include pathways to the existing Village trailhead located to the east of the Power Line easement; and
- (14) The Applicant shall submit a plan for the improvement of public lands to be dedicated in a developer's agreement.

b. **Detailed Implementation Plan (Site Plan) Agenda Item:** The request of Joann Rubio (LEO@Bristol LLC c/o Advenir Development LLC) 13830 58th Street North #410, Clearwater, Florida 33760 (Applicant) and Bristol 130th & 50 LLC 401180th Street, Kenosha, WI 53142 (Owner) for a Detailed Implementation Plan (Site Plan) Review on tax parcels #37-4-121-122-0334, #37-4-121-111-0400, and #37-4-121-122-0200, Village of Bristol, Kenosha County Wisconsin:

- a. **CONDITIONALLY APPROVE** the Application, pending the submission of additional information listed below and agreement to proposed use. NOTE: Plan Commission shall review the below conditions and cross out any conditions that are deemed unnecessary.
 - b. **TABLE** the agenda item until additional information is submitted to the Village and the Plan Commission can review and take action at next month's meeting to confirm that any discussed business operation components are addressed.
 - c. **DENY** the agenda item, pointing out reasons for denial merit such as:
 - i. Incomplete submittal
- **Conditions recommended by GRAEF** to include if "conditional approval" of the proposed Detailed Implementation Plan is desirable to the Plan Commission:
 - (1) The Applicant shall provide complete unit counts for the revised mix of units; and
 - (2) The Applicant shall provide an east-west access from the development to the future Village park; and
 - (3) The Applicant shall revise the Detailed Implementation Plan to place the mini-park central to the proposed "Public Road 1" aligned with the perpendicular private street to the north; and
 - (4) The Applicant shall revise the Site Development Plan to include ADA curb ramps and crosswalks to the southern portion of the site; and

- (5) The Applicant shall provide pathways around the northern perimeter of the site to provide access to environmental features and stormwater paths; and
- (6) The Applicant shall provide pathways to the east connecting the community building to the future park beyond the overheard electrical wires; and
- (7) The Applicant shall revise the Site Development Plan to include the required amount of pocket parks including additional details as to their improvements such as furnishings, additional landscaping, recreational facilities, and amenities; and
- (8) The Applicant shall revise the site grading plan to reflect the any future changes in the site development plan, and changes to site grading shall not further impact natural resource features on the Subject Property; and
- (9) The Applicant shall install a Type 1 Bufferyard along the east property line along the overhead electric wire utility easement; and
- (10) The Applicant shall remove the note along Public Road 1 stating "Section 13-1-324 general bufferyard requirements buffer not required since R-9 is lower use than A-1;" and
- (11) The Applicant shall submit plans for fencing, walls, signs, and a Lighting Plan; and
- (12) The Applicant shall submit architectural plans; and
- (13) The Applicant shall submit an updated construction phasing plan; and

- Additional conditions for Plan Commission consideration:

- (14) Applicant shall revise the Site Development Plan to make consistent building setbacks along private streets; and



Strand Associates, Inc.®
126 North Jefferson Street, Suite 350
Milwaukee, WI 53202
(P) 414.271.0771
www.strand.com

June 18, 2024

Mr. Randy Kerkman, Administrator
Village of Bristol
19801 83rd Street
Bristol, WI 53104

Re: Plan Commission Submittal Comments–June 24, 2024
Preliminary Plan Review Comments for Private Improvements at Leo Living Development (Leo)
Tax Key IDs 37-4-121-122-0334 and 37-4-121-111-0400
Village of Bristol, Wisconsin (Village)

Dear Randy,

On behalf of the Village, Strand Associates, Inc.® has reviewed the most recent documents prepared by Pinnacle Engineering Group, LLC for Advenir-Oakley Development Group, LLC. The comments in this letter will focus on preliminary plan review comments relative to the June 25, 2024, Plan Commission meeting.

Information Reviewed

1. Private Improvement Plans–Dated May 30, 2024
2. Comment Response Letter–Dated May 30, 2024
3. Stormwater Management Plan (SWMP)–Dated May 30, 2024
4. Wisconsin Department of Natural Resources Nonfederal Wetland Exemption Determination Letter–Dated January 24, 2023
5. United States Army Corps of Engineers Memorandum–Dated March 4, 2024

Information Not Reviewed

1. Items such as the number of parking spaces, number of driveways, screening, landscaping, zoning, setbacks, green space requirements, building architecture and aesthetics, and signage will be reviewed by the Village Planner.
2. Code Compliant Landscape Plan–Submitted December 19, 2023

Standards Used

1. Current version of the Village Code of Ordinances
2. Village Erosion Control and Stormwater Management Requirements

NLW:EAR:sj\NS\MAD\1400–1499\1455\204\Correspondence\Out\Plan Review\Leo Living Development\2024.6.18 Engineer Letter\Private Leo Living Development-Plan Commission Letter.061824.docx

Mr. Randy Kerkman, Administrator
Village of Bristol
Page 2
June 18, 2024

3. Chapter NR 151 of the Wisconsin Administrative Code–Runoff Management
4. Village Standards and Specifications for Development

Summary

The following comments should be addressed when submitting final engineering drawings for the Village's engineering drawing review. These comments should not impact actions taken by the Plan Commission. This list may not be all inclusive, and additional comments or questions may result after a submittal addressing the comments. Please submit a response letter that includes a numbered list of responses to these comments to expedite future reviews.

General Comments for Leo

1. Submit the following, when available:
 - a. A lighting plan, including fixture locations, cut sheets of the proposed lighting elements, calculations summaries, and a photometric report.
 - b. Natural Resource Protection Plan.
 - c. Department of Safety and Professional Services approval documentation after drawings have been submitted.
 - d. Agency coordination, permits, and approvals.
2. Provide documentation indicating the party responsible for owning and maintaining the stormwater facilities.

Specific Engineering Comments

1. Private Improvements Plans
 - a. General–Add street names throughout the sheets.
 - b. Paving Plan (Sheets C-20 to C-28)
 - (1) Remove the bump outs for the crosswalk on 130th Avenue.
 - (2) Review street tree removals on 130th Avenue for sight distance conformance.
 - (3) Provide spot grades for Americans with Disabilities Act curb ramps and parking stalls in the future.
 - (4) Call out the proposed signs.
 - (5) Label the cross walk and stop bar pavement markings.
 - c. Sanitary Sewer Plan and Profile (Sheets C-30 to C-28)–Connections to the public sanitary sewer should be a monitoring manhole with a weir for flow monitoring and billing.

Mr. Randy Kerkman, Administrator
Village of Bristol
Page 3
June 18, 2024

- d. Storm Sewer Plan and Profile (Sheets C-45 to C-53)—Review to confirm that high-density polyethylene (HDPE) is adequate based on the cover over the pipe.
2. SWMP
- a. Note that several curve numbers and times of concentration values shown on the Proposed Hydrology Exhibit do not match the values listed in the Post-Development Peak Flows table on page 4 of the SWMP and the HydroCAD model. Revise the table and model or exhibit as necessary.
 - b. Provide calculations for Catch Basins (CB) 7B through 26. It appears that one 25-year storm sewer calculation sheet is missing.
 - c. Confirm that CBs 24, 23, and 16 will not surcharge into the street in the 25-year design storm. Provide a hydraulic grade line (HGL) elevation or profile showing the HGL.

If you have any questions, please call 414-271-0771.

Sincerely,

STRAND ASSOCIATES, INC.®



Nicole L. Wellenstein, P.E.


Emily A. Rowntree, P.E.