

Exhibit C Special Conditions

1. General Provisions

Anything not addressed in the Planned Development Agreement should be addressed as per the underlying zoning district.

2. Setbacks

Front Yard. No required setback.

Side and Rear. There shall be a 10-ft. setback from any side or rear lot line that abuts a lot located in a residential zoning district or a lot in a commercial zoning district and used for a single or two family dwelling and such use is not a non-conforming use.

3. Permitted and Special Uses

Uses permitted within the Planned Development District shall be in accordance with Permitted and Special Uses in the underlying C-3 Community Commercial District of the Revised Municipal Code for the City of West Allis (unless listed below as a prohibited use). Any future businesses on site that are listed as special uses in the underlying C-3 Community Commercial District will be required to obtain a special use permit in accordance with Section 12.16 of the Revised Municipal Code.

4. Prohibited Uses

The following uses are specifically not permitted within the Planned Development District:

1. Vehicle service and repair shops
2. Vehicle sales, display or storage
3. Public self-storage or warehousing
4. Telecommunication and radio towers
5. Adult-oriented establishments, including but not limited to Adult Video Sales, under the provisions of Sec. 9.28 of the Revised Municipal Code.
6. Thrift/consignment, pawn brokers, check-cashing stores not allowed as principal use.

6. Site, Landscaping and Architectural

All Site, Landscaping and Architectural improvements shall be in accordance with the recommendation and approved set of plans (Exhibit B) by the Plan Commission on July 27, 2005. Site, landscaping and architectural plans for future development phases, modifications to the approved set of plans or any site, landscaping or architectural modification within the overall project area will require submission and approval by the West Allis Plan Commission.

7. Site and Rooftop Screening

A solid screen fence and landscaping of sufficient height to buffer adjacent uses shall be installed in areas abutting residential zoning districts or land uses. Refuse enclosures

shall be four sided with personnel doors and shall be large enough to contain all refuse, recyclable, and other waste materials. The construction of said enclosures shall be designed of masonry materials to match the principal building and subject to Plan Commission approval.

Rooftop equipment shall be screened or located so as to be not visible from street grade.

8. Required Conditions for Farmers Market Neighborhood Planned Development

1. Unique architectural lighting will be used throughout the site.
2. The use of pennants, special lighting, flags, streamers or other signage and marketing displays, whether permanent or temporary, hanging, floating, freestanding or attached to a vehicle or structure shall require plan commission approval.
3. Refuse enclosures shall be four-sided with personnel doors and large enough to contain all refuse, recyclable, and other waste materials. The construction of said enclosures shall be designed of masonry materials to match the principal building.
4. Visible pedestrian linkages, i.e. sidewalks, paths, will be placed from the public sidewalk to the main entrances or common areas of each building and internally throughout the site. Bicycle racks will also be included as part of the overall development.
5. A traffic study shall be conducted and submitted to the City Engineering Department for review. Any driveway opening or closures must be approved by the Engineering Department in accordance with the traffic report and analysis.
6. A certified survey map being submitted to the Plan Commission and Common Council for approval to combine and/or re-divide individual tax parcels into the new lot(s) of record. The Certified Survey Map should indicate the dedication of 11-ft. of public right-of-way along W. National Ave.
7. Public Utility Plans being submitted through the City to the Milwaukee Metropolitan Sewerage District (MMSD) and the Department of Natural Resources (DNR).
8. Documentation and approval showing compliance with the City of West Allis Stormwater Management Ordinance, to be submitted to the Engineering Department by a registered Civil Engineer. A stormwater permit must be obtained from the City Engineering Department. Contact Joseph Burtch, Assistant City Engineer, at 414-302-8379.
9. Total project area compliance with MMSD Chapter 13 and NR 151 rules.
10. All utility wires public or private to be buried underground.

9. Signage

1. All signage will be in accordance with the City of West Allis signage master signage guidelines (see attached Exhibit D) unless otherwise noted below:
2. Directional signage will not exceed 6 square feet in size and will be designed to match the principal signage.

10. Amendments

The parties agree that no changes in the approved Application and related conditions shall be made unless authorized by the Common Council in accordance with Sec. 12.60 (8) of the Revised Municipal Code of the City.

Any modification to this Special Conditions exhibit will require resubmission and approval by the City of West Allis Plan Commission and Common Council.