AGENDA VILLAGE OF PLEASANT PRAIRIE PLEASANT PRAIRIE VILLAGE BOARD PLEASANT PRAIRIE WATER UTILITY PLEASANT PRAIRIE SEWER UTILITY Village Hall Auditorium 9915 - 39th Avenue Pleasant Prairie, WI July 1, 2013 6:00 p.m.

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Roll Call
- 4. Minutes of Meetings June 17, 2013
- 5. Citizen Comments (Please be advised per State Statute Section 19.84(2), information will be received from the public and there may be limited discussion on the information received. However, no action will be taken under public comments.)
- 6. Administrator's Report
- 7. New Business
 - A. Receive Plan Commission recommendation and consider Ordinances #13-25 and #13-26 Zoning Map and Zoning Text Amendments for the proposed redevelopment of the Town N Country Shopping Center located at 4623 75th Street.
 - B. Consider award of contract to apply slurry seal on the Ice Arena parking lot and access road.
 - C. Consent Agenda (All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the General Order of Business and considered at this point on the agenda.)
 - 1) Approve Operator License Applications on file.
 - 2) Approve Renewal Operator License Applications on file.
- 8. Village Board Comments
- 9. Adjournment

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VILLAGE OF PLEASANT PRAIRIE PLEASANT PRAIRIE VILLAGE BOARD PLEASANT PRAIRIE WATER UTILITY PLEASANT PRAIRIE SEWER UTILITY 9915 - 39th Avenue Pleasant Prairie, WI June 17 2013 6:00 p.m.

A regular meeting of the Pleasant Prairie Village Board was held on Monday, June 17, 2013. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Monica Yuhas, Steve Kumorkiewicz, Clyde Allen and Mike Serpe. Also present were Michael Pollocoff, Village Administrator; Tom Shircel, Assistant Administrator; Jean Werbie-Harris, Community Development Director; Kathy Goessl, Finance Director; Dave Smetana, Police Chief; Doug McElmury; Fire & Rescue Chief; Mike Spence, Village Engineer; John Steinbrink Jr., Public Works Director; Carol Willke, HR and Recreation Director and Vesna Savic, Deputy Village Clerk. Seven citizens attended the meeting.

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. ROLL CALL
- 4. MINUTES OF MEETINGS JUNE 3, 2013

KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE JUNE 3, 2013 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY ALLEN; MOTION CARRIED 5-0.

Michael Serpe:

Mr. Chairman, our Public Works Director is going to be late for a meeting now. I would ask that Items A and B be brought forward now so we can hear them so he can make his next meeting.

Clyde Allen:

Second.

John Steinbrink:

Motion to move New Business Items A and B forward. Motion by Mike, second by Clyde.

SERPE MOVED TO CONSIDER NEW BUSINESS ITEMS A & B BEFORE THE PUBLIC HEARING; SECONDED BY ALLEN; MOTION CARRIED 5-0.

8. NEW BUSINESS

A. Consider Resolution #13-12 certifying the creation, review and adoption of the Compliance Maintenance Annual Reports for the Wastewater Facilities in the Village of Pleasant Prairie.

John Steinbrink, Jr.:

Mr. President and members of the Board, every year the DNR requires us to complete a compliance and maintenance annual report better known as a CMAR. It's a reflection - it's really a self-assessment of the financial status of the sewer utility. It talks about different items as how much money that we have right now, what our replacement funds are, what our future planning capital, CIPs, any sanitary sewer overflows that we may have. It takes a bunch of factors, and then we get a grade as a result of going through and calculating all those factors.

I'm pleased to say that we did receive an A as a result of the CMAR so that is good news. There are a couple things that we can do a little bit more to work on the low end of an A. We can bump it up. But those are things that we'll be bringing forth through the budget process. And one of the requirements of the CMAR is having a resolution which you have in front of you this evening. So if you guys have any questions about the CMAR I can answer them at this time. Otherwise I would move approval.

YUHAS MOTIONED TO APPROVE RESOLUTION #13-12 CERTIFYING THE CREATION, REVIEW AND ADOPTION OF THE COMPLIANCE MAINTENANCE ANNUAL REPORTS FOR THE WASTEWATER FACILITIES IN THE VILLAGE OF PLEASANT PRAIRIE; SECONDED BY KUMORKIEWICA; MOTION CARRIED 5-0.

B. Consider Resolution #13-13 authorizing the disposal of surplus vehicles.

John Steinbrink:

Mr. President and members of the Board, this is that time of year where I get to show you some of those nice vehicles that we're getting rid of. Public works is very excited to be getting rid of these. They have exceeded their useful life. The first one that we have was a diesel regular pickup truck in 1994. The bed had rusted out so we bought a used service body, and it's been the mechanic's vehicle. We were fortunate enough to go down to an auction this year and buy a nice used service vehicle, a little bit larger vehicle, a little bit newer vehicle, and we will be replacing it with this vehicle.

The next one that we are getting rid of I think it's been through pretty much every department within the Village. I know it was by inspections, it was by CD and then ended up over at public works, the graveyard of vehicles. And this also, too, has exceeded its useful life. And we did purchase a vehicle through the estate bid contract to replace this vehicle. So I'm looking for authorization to auction these vehicles off in July.

KUMORKIEWICZ MOVED TO APPROVED RESOLUTION #13-13 AUTHORIZING THE DISPOSAL OF SURPLUS VEHICLES; SECONDED BY ALLEN; MOTION CARRIED 5-0.

5. PUBLIC HEARING

A. Consider renewal of the Class "A" Fermented Malt Beverage license for BP AM/PM located at 10477 120th Avenue.

Mike Pollocoff:

Mr. President, the Village Clerk can't be with us tonight. She prepared a memorandum reflecting the request of BP AM/PM to renew their Class A fermented malt beverage license for the station located at 10477 120th Avenue. It was received by the deadline, and the reason we were holding it was because we were still working through the conditional use permit process for this facility.

On May 28th the Village approved a one year extension for the conditional use permit for this business. Therefore, the renewal application before the Board is up for consideration. It would still be only for one year. The community development department, engineering, building inspection departments have indicated there are no outstanding code violations at the time. The fire department is waiting for a payment of a re-inspection fee and two letters relating to its occupancy. There are also delinquent property taxes in the amount of \$26,484.65.

The Clerk is recommending that the license be renewed from July 1, 2013 through June 30, 2014 subject to payment of license and publication fees in the amount of \$410, payment of delinquent 2012 property taxes in the about of \$262,484.65, payment to the fire department of a \$50 reinspection fee from May 2, 2013, receipt of a letter to the fire department with respect to fire extinguisher compliance, and receipt of a letter to the fire department stating that the project complies with the comments in the Village staff memorandum from fire and rescue dated November 8, 2012.

John Steinbrink:

This being a public hearing I am going to open it up to public comment or question.

Vesna Savic:

No one has signed up.

John Steinbrink:

Anyone wishing to speak? Anyone wishing to speak? Anyone wishing to speak? Hearing none I'm going to close the public hearing and open it up to Board comment or question.

Steve Kumorkiewicz:

I don't know why there's nobody from BP here tonight. Evidently they don't want this being approved. I don't know.

Michael Serpe:

At the Plan Commission meeting, Steve, we discussed a number of things including giving them a year's extension on their project including -- so this would include and come due at the same time that the other licenses in the Village would come due. So we kind of brought this altogether so it would be a lot easier on staff and everybody else. And I'd move approval of the license subject to the conditions set forth by the Clerk.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Mike, second by Monica. Any further discussion on the motion?

SERPE MOVED TO APPROVE RENEWAL OF THE CLASS "A" FERMENTED MALT BEVERAGE LICENSE FOR BP AM/PM LOCATED AT 10477 120TH AVENUE; SECONDED BY YUHAS; MOTION CARRIED 4-1 WITH KUMORKIEWICZ DISSENTING.

6. Citizen Comments

Vesna Savic:

No one has signed up.

John Steinbrink:

Anyone wishing to speak under citizen comments?

Van Wanggaard:

Good evening everybody. I'm Van Wanggaard, and I'm just coming down to visit you because I plan on being your next senator for this district again. I'm running for the State Senate, and I look forward to working with all of you. I see a lot of familiar faces. You guys do a great job down here, and it's kind of fun to just sit and listen. So I'll be poking my head in once in a while. If there's something I can help you with be sure you let me know. Thank you.

John Steinbrink:

Thank you. Anyone else wishing to speak under citizens' comments? If not, I'm going to close citizens' comments.

7. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Mr. President, I want to remind the Board that this weekend will be the Pleasant Prairie Triathlon, so we'll have some minor road closings throughout Sunday morning. The roads should be open by 10 or 11 I'm hoping. I haven't heard the exact count of how many participants we're going to have, but I think it's going to be at least what we had last year. That's all I have at this time.

John Steinbrink:

Thank you, Mike.

8. NEW BUSINESS

C. Receive Plan Commission recommendation and consider Ordinance #13-21 to amend the 2035 Comprehensive Plan relating to the establishment of a new manufacturing zoning district generally located in the vicinity of STH 31 and Springbrook Road and along the I-94 corridor south of STH 165.

Jean Werbie-Harris:

Mr. President, I'd ask if all three Items C, D and E can all be taken at the same time with separate action.

John Steinbrink:

Board concurs.

- D. Receive Plan Commission recommendation and consider Ordinances #13-22 and #13-23 to create Section 420-125.1 of the Village Zoning Ordinance entitled M-5 Production Manufacturing District and to amend Section 420-100 A (1) to include the M-5, Production Manufacturing District in the list of basic zoning districts established in the Village.
- E. Receive Plan Commission recommendation and consider Ordinance #13-24 to rezone several parcels of land relating to the establishment of an M-5 Production Manufacturing District generally located in the vicinity of STH 31 and Springbrook Road and along the I-94 corridor south of STH 165.

Jean Werbie-Harris:

The first item is Item C, receive Plan Commission recommendation and consider Ordinance 13-21 to amend the 2035 Comprehensive Plan related to the establishment of a new manufacturing zoning district generally located in the vicinity of State Highway 31 and Springbrook Road and along the I-94 corridor south of Highway 165.

Item D, receive Plan Commission recommendation and consider Ordinances 13-22 and 13-23 to create Section 420-125.1 of the Village zoning ordinance entitled M-5, Production Manufacturing District, and to amend Section 420-100 A (1) to include the M-5, Production Manufacturing District, in the list of basic zoning districts established by the Village.

And Item E, receive Plan Commission recommendation and consider 13-24 to rezone several parcels of land related to the establishment of the M-5, Production Manufacturing District, generally located in the vicinity of Highway 31 and Springbrook Road and along the I-94 corridor south of Highway 165.

The M-5, Production Manufacturing District, is a district that was recommended and referred to the Village staff by the Plan Commission for review. Public hearing on this district and the related items were before the Plan Commission this evening. The M-5 District would allow for specific manufacturing production and office-related uses on properties located adjacent to the LakeView Corporate Park. The M-5 District reflects an enhancement of the Village's public policy of sound and diversified economic development.

While there have been and still are sufficient economic opportunities for the construction of warehouses and distribution facilities in the existing corporate parks, it's important to conserve land resources and economic infrastructure support in order to assist in providing more employment in the Village. The M-5 District promotes and encourages production, manufacturing and office-related employment as the primary use with warehousing and distribution to be an ancillary or a secondary use on these properties. The M-5 District encourages and promotes more intensive land uses which would, in turn, promote greater employment opportunities in proximity to I-94 and State Highway 31. The Village's goal would be to increase the number of jobs per acre which is good for our community.

The zoning text amendments would be to create, again, 420-125 to M-5 Production Manufacturing, again, to provide for manufacturing, assembly, office, warehouse and development uses with limited warehouse and distribution. Specifically when I refer to limited warehouse and distribution I'm saying that only 30 percent of the building would be able to be used for separate and distinct warehouse and distribution related services or uses.

Specifically, if a company is manufacturing, for example, or assembling a product and they are storing raw materials or distributing their product, that warehousing of that type of product is not be considered as part of that 30 percent. So this would be already pre-assembled product that is being stored in the facility and then shipped out. That is what is limited to that 3 percent. Also, to amend Section 420-100 A (1), and this is related to the districts, again, so that it's listed specifically in the listing of various districts of the Village within the text of the ordinance.

Specifically there are mainly three areas that we're looking for the zoning map amendments. The first area is south of 165 and south specifically of Momper's Woods, west of Green Bay Road and north of Springbrook Road. The tax parcel numbers involved in this specific area are Tax Parcel Numbers 92-4-122-273-0156 owned by the Citizens Bank of Mukwonago; 92-4-122-342-0100 owned by Rabin and Lynn, LLC; and 92-4-122-342-0300 owned by VPX Farm, LLC; and 92-4-122-331-0150 owned by Rabin and Lynn, LLC.

This is an area of the Village that is currently zoned M-2 which is a General Manufacturing District and an AGO, an Agricultural Overlay District. This is also an area that is not in a heavy manufacturing area or high hazard area. It's already in a low hazard area of the M-2. So what we'd be proposing to do is to change that M-2 District AGO to an M-5 District. Existing nonconforming agricultural uses would be able to continue on the property insofar as they don't discontinue that use or that ag related use for more than 12 months.

The next area is the area that is just east of I-94, south of 116th Avenue or south of 110th Street. And this is an area that is currently zoned A-2, General Agricultural District. So, again, agricultural uses are consistent on that property. There are, just like with the previous property, areas that are zoned C-1, FPO for floodplain, C-1 for wetlands and shoreland overlay. Those areas would all remain intact on these properties at this time unless detailed delineations would necessitate their rezoning.

The Tax Parcel Numbers include 92-4-122-303-0101; -304- 0200; -311-0200; -312-0305; and 312-0310, and these are owned by James Hart and Delaine Farm Partners. The next property is-303-0300 owned by Ries Partners; -312-0100 owned by Otto Sprenger Trust Revocable Trust; and-312-0150 owned by Kathleen Johnson. As part of the Plan Commission recommendation one of the modifications that was made from them at their meeting was that the property that's owned by Dr. Ries that's identified on this as -- I'm not sure which one it was. There was one property that was identified for Dr. Ries's property, and I'll get the tax parcel number. It's this property here. It's just immediately south of Premium Outlets. That is one property that was recommended by the Plan Commission not to be rezoned, to be left in its agricultural A-2 designation and on the Comprehensive Plan to remain as that commercial region or retail. So that's one property in particular that I'll have some further discussion on that is not proposed by Plan Commission to be modified.

And then the last area is that area west of I-94 at approximately the 11300 block of 120th Avenue, the West Frontage Road. This area is currently zoned B-2, Regional Retail District, or A-2, General Agricultural District. And the Tax Parcel Numbers identified here are 91-4-121-254-0122;-254-0401; -254-0406, and these are all owned by the Pleasant Prairie Community Development Authority. And then a second property to the west of the CDA land is owned by Dr. Ries or the Ries Partners LP, and that's identified as 91-4-121-254-0301.

As part of the request this evening are some Comprehensive Plan Amendments. Again, one of the first amendments is in the area that's identified in green right to the west of the I-94 and the West Frontage Road is to include this area within the planning description and to amend Map 1.2 to include the corporate boundaries of that parcel as well as the area identified, it looks like a

forwards L, that red area. Those are the two areas that were recently annexed into the Village in 2010 and 2013 respectively. Those need to be reflected as plan amendments for the Comprehensive Plan.

Again, as part of the Comprehensive Plan amendment, you have this evening we need to specifically identify a general description of the Product Manufacturing District within the Comprehensive Plan. It's the same purpose and intent that's been identified as part of the zoning, but this kind of clearly sets for what that district is intended for, manufacturing, assembly, office, research and development with limited warehouse and distribution uses.

With respect to the Comprehensive 2035 Land Use Plan Map 9.9, the map will also be amended and modified to reflect those areas with the letter P for production. So the three areas that I just referenced, again, just west of Green Bay Road, those areas will be identified on the Comprehensive Plan as the gray for general industrial but specifically related to the production manufacturing designation. They have an urban reserve land use designation at this time because they aren't fully improved lots because they do not have sewer and water and public roadway directly to these lots at this time. I assume that that will happen at some point in the future when these lot areas do develop.

The next area is that area just east of I-94 just east of the East Frontage Road, and those are the areas that were specifically being modified in the Comprehensive Plan from the red or that commercial freeway oriented regional retail district. And they are going to be reflective of that production manufacturing. Again, the only exception on this map is that area that Tom had pointed to before that's immediately south of Premium Outlets. And that area will remain as this regional retail designation for commercial.

The last is the area west of the Interstate and, again, just west of I-94 and the west frontage road. And, again, this area will be reflective of that production manufacturing land use designation instead of the commercial designation. And the P for production manufacturing will be identified on the land use plan map. Again, there's narratives and notes that do need to be updated to reflect these changes as well.

So with that, Mr. President, there are three areas that we are looking to modify, and it will include zoning map amendments, text amendments and Comprehensive Plan amendments. One of the things that was brought up at the Plan Commission meeting the Village has been doing a great deal of strategic planning for these districts for these areas. We have been examining these areas for transportation-related improvements, we've initiated grant requests. We've initiated TIAs, traffic impact analyses in all these areas to look at how the infrastructure is going to be able to handle the increase in employment that could be generated from these new uses that could locate in these areas. So we are working on some comprehensive plans in these areas as well. And all of these items will be coming to you in the very near future as we go through that planning process. So just to clarify we have been working on this for quite some time, and we will be presenting all of this information to you as we advance through the process.

Mike Pollocoff:

I might also add in addition to Jean's comments is that when you look at the strategic planning that the Village has gone through to eliminate the blight along the I-94 corridor, taking the bookstores out, the fireworks stands, the RV yards, the military salvage yard, every thing you can think of, and we installed infrastructures that would provide the capacity to be able to treat sewer and water, convey everything in there.

And then on the east side of the interstate the development was done with the LakeView Corporate Park. The world didn't end at LakeView Corporate Park. We designed it to be able to grow beyond that and provide additional uses. And we're at that point where that's a reasonable thing to take place. So there has been significant planning. And part of the problem, or maybe part of the issue is the plan was I think put together pretty well, and in a sense it enables us to grow beyond what we've put in initially, and that infrastructure is there for us to take advantage of. So maybe in part the plan is a little bit old.

But as I said in the Plan Commission we need to be cautious where we send TIF dollars because the State is going to penalize us for -- under a levy limit we're not going to be able to get a return on something that doesn't have jobs. Even then we won't get a return on it. At least it will have an indirect impact on it. But our levy will be frozen. So no matter how much we grow it doesn't mean it's going to bring more tax base. It's going to lower taxes and we'll have to find ways to accommodate that growth. So it's all the more important that we don't create tax districts that are going to put in massive structures that are not going to be job intensive. And I think with that said I think that it's my recommendation that the Village limit any additional use of TIF dollars for other than existing established districts for warehouse and distribution.

Michael Serpe:

Since we've laid out the Corporate Park and created TIF districts we've always had a place where job creation could be had. And you just have to ask yourself how many more jobs would we have been able to create in this park had we had a cooperative partner with the Kenosha Water Utility. And now to come up with an M-5 District that hopefully gets some manufacturing here that doesn't require a whole lot of water use is a good plan.

Again, and I'll repeat myself as I said it before, I don't care if the factory ends up in Pleasant Prairie, Bristol, Somers or Paris Township. If it brings jobs it's good for the region. But right now we have the controller of the water preventing us from doing that. This whole thing is in the hands of the Public Service Commission. I hope they see this in the right way, and I hope they allow us to proceed forward and attract the businesses or the companies that can create jobs. Right now they're fighting us for it and it's wrong. So I totally support all three of these items, and I'd make a motion on 13-21.

Jean Werbie-Harris:

I just wanted to clarify in the zoning text amendment that on page 9 where we talk about glazing for manufacturing that I modified the 10 percent to 5 percent so as you go through the process with the zoning text amendment.

John Steinbrink:

And we need a roll call vote.

SERPE MOVED TO CONCUR WITH THE **PLAN** COMMISSION **RECOMMENDATION AND ADOPT ORDINANCE #13-21 TO AMEND THE 2035** COMPREHENSIVE PLAN RELATING TO THE ESTABLISHMENT OF A NEW MANUFACTURING ZONING DISTRICT GENERALLY LOCATED IN THE VICINITY OF STH 31 AND SPRINGBROOK ROAD AND ALONG THE I-94 CORRIDOR SOUTH OF STH 165; SECONDED BY ALLEN; ROLL CALL VOTE - STEINBRINK AYE; YUHAS - AYE; KUMORKIEWICZ - AYE; ALLEN - AYE; SERPE AYE; MOTION CARRIED 5-0.

YUHAS MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCES #13-22 AND #13-23 TO CREATE SECTION 420-125.1 OF THE VILLAGE ZONING ORDINANCE ENTITLED M-5 PRODUCTION MANUFACTURING DISTRICT AND TO AMEND SECTION 420-100 A (1) TO INCLUDE THE M-5, PRODUCTION MANUFACTURING DISTRICT IN THE LIST OF BASIC ZONING DISTRICTS ESTABLISHED IN THE VILLAGE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #13-24 TO REZONE SEVERAL PARCELS OF LAND RELATING TO THE ESTABLISHMENT OF A M-5 PRODUCTION MANUFACTURING DISTRICT GENERALLY LOCATED IN THE VICINITY OF STH 31 AND SPRINGBROOK ROAD AND ALONG THE I-94 CORRIDOR SOUTH OF STH 165; SECONDED BY SERPE; MOTION CARRIED 5-0.

F. Consider the request of Dustin Harpe of Harpe Development to amend the Access Restriction for Lot 63 in Ashbury Creek.

Jean Werbie-Harris:

Mr. President, this is a request from Dustin Harpe of Harpe Development. And they are looking to modify and get an amendment for the access restriction that is for Lot 63 in the Ashbury Creek Subdivision. This is located at the corner of 94th Avenue and 94th Court. Pursuant to the final plat for the Ashbury Creek Subdivision, the driveway shall be located a minimum of 100 feet from the center line of 94th Avenue. Due to the slope of the property, however, the garage on the western side of the home does not seem to work due to the significant grade changes. The top of foundation is set at 711.5, and the elevation along the western property line varies from 704 to 705 approximately. This side of the property is suited for a partially exposed basement, therefore

a garage is proposed to be located on the east side of the house with a driveway somewhat closer than 100 feet to the center line of the adjacent intersection.

The access restriction is proposed to be amended to allow for the center line of the driveway to be reduced by 12.3 feet. So it would be set back a distance of 87.7 feet from the center line of the intersection of 94th Avenue and 94th Court to the driveway. The staff has taken a look at this and finds no objection to the request and recommends approval.

Michael Serpe:

How did this happen?

Jean Werbie-Harris:

Well, I guess what happened was basically they were proposing to do a certain type of a home on the lot, but there is a significant grade change from the corner, the southeast corner of this lot to the next lot over. There's like a seven foot grade change. So based on the style of the home that you pick it could cause some significant problems. So they shifted it over as far as they could. They're working with a home that's going to have a walk out or a look out basement. And we pushed it as far away from the intersection as possible.

The other option would be or could be that the driveway could come off of 94th Avenue. And since 94th Avenue serves as a local collector through that development and all the way up through Prairie Ridge, it's best that the driveway actually come off of 94th Court rather than 94th Avenue. So the staff recommends that based on the grade elevations and the changes and the placement of the home and to avoid it being placed on the local arterial we recommend that it be approved.

Michael Serpe:

Is there going to be any drainage problems from one lot to the next with the grade difference?

Jean Werbie-Harris:

The developer is here, you could ask him specifically that question. But they're designed so that that doesn't happen.

Michael Serpe:

I've heard that before.

Jean Werbie-Harris:

They're leaving the existing drainage patterns where they are. They are not amending them.

John Steinbrink:

Give us your name and address for the record.

Dustin Harpe:

Dustin Harpe, 7530 39th Avenue. Like she said we're not actually changing any of the lot line grades. We just want to drop the -- originally we had the garage on the left, but it was going to be way too steep for anybody to mow or really do anything with it. So if we're able to flip flop it like this we can then drop the grade on the left side of the house and then reduce that to maybe two and a half foot pitch where it's more manageable. So if anything the water is not going to rush as fast on there. But the lot lines are staying exactly the same. I'm not sure how that went through in the first place but it is what it is I guess.

Clyde Allen:

Make a motion to approve to amend the access restriction.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Clyde, second by Monica. Any discussion? Jean, I notice out there a lot of the water shut offs are located in the driveways. Is there a reason for that?

Jean Werbie-Harris:

They should be. Village Engineer? They should be.

Mike Spence:

The laterals or the services were obviously put in before the homes were built. The only thing I know now is that when they built a house and they do have the shut off is in the driveway we make them sign an indemnification that if we ever have to go in there. But I don't know why. Again, this is the way it was set up originally. I don't know why there's a propensity of so many of them there. I can't tell you.

Mike Pollocoff:

It has to be caught when they're doing the plan review. And if they don't catch it in that plan review and look at where the lateral is then they're going to approve the plan with the driveway wherever it is. That's something the Village should catch ahead of time when we have it.

Mike Spence:

We've caught a bunch of them since I've been here that are in the driveway and we make them change it.

John Steinbrink:

By flip flopping the driveway probably you'll miss it that way. Alright, we have a motion and a second. Any further discussion?

ALLEN MOVED TO APPROVE THE REQUEST OF DUSTIN HARPE OF HARPE DEVELOPMENT TO AMEND THE ACCESS RESTRICTION FOR LOT 63 IN ASHBURY CREEK; SECONDED BY YUHAS; MOTION CARRIED 5-0.

G. Consider Resolution #13-14 authorizing writing off assets with initial cost under \$5,000.00.

Kathy Goessl:

Mr. President and the Village Board, this resolution before you, back in September 2011 the Village Board approved a change in the fixed asset capitalization policy increasing the capitalization value from \$2,000 to \$5,000. The Village finance department is currently in the process of cleaning up our databases because we are going through a software conversion with Tyler with an implementation go-live date for fixed assets of this October 1, 2013.

I'm asking to write off assets with initial cost of \$5,000 or less. These assets in total are a little less than \$2 million, but their current book value is around \$450,000. These assets were purchased over the 20 plus years across both government and enterprise funds. And whereas the recommended write off is only 3 percent of our current fixed assets book value of \$15 million.

Included in your packet is a summary by fund of how much the book value and the asset value is by fund. And then there's also a detailed listing of all the assets that we're looking at writing off. So I'm, therefore, recommending writing off these assets. If you have any comments or questions on my recommendation.

Clyde Allen:

Kathy, looking on the list that there's items let's just say prior to 1990. I guess I see some that still have -- well, how do I want to phrase this. Before we treated assets under \$5,000, before we went to the \$5,000 limit, why do we still have items purchased before let's say 1990 that have not been depreciated fully if we have a book value on items that old.

Kathy Goessl:

There's probably not a book value on the ones prior to 1990. They have an actual initial value prior to 1990. Our asset value -- you can see some of these assets were actually less than \$2,000

prior to I'm not sure when we changed to \$2,000, but we were at \$500 when I first started in the early '90s. So the summary by year is initial value of these assets. The book value of a lot of that stuff prior to 1990 is zero probably. As we get closer to in the late 2000s, 2010, 2011, those actually have value to them right now. But the earlier stuff this is just the actual initial cost of these items that were still on the books.

Clyde Allen:

Okay, so what you're saying is what the current book value, the \$450,000, are all the more recent items from 2010, 2011?

Kathy Goessl:

Yes. All these assets are on our books, and these are the initial cost of them. And some of them were prior to 1990 up to 2011.

Clyde Allen:

Okay, so everything has been written off --

Kathy Goessl:

We haven't written anything off in terms --

Clyde Allen:

Not written off but depreciated in full their worth.

Kathy Goessl:

Yes, they were depreciated in full except for the later years, and those have a value of \$451,000. There could be some little value in the earlier years, but the majority of the value is actually in the more recent years.

Clyde Allen:

Okay, so we were depreciating per schedule.

Kathy Goessl:

Were depreciating the assets, yes. So this will clean up our database and have only assets \$5,000 or more on our database in all years.

ALLEN MOVED TO APPROVE RESOLUTION #13-14 AUTHORIZING WRITING OFF ASSETS WITH INITIAL COST UNDER \$5,000.00; SECONDED BY YUHAS; MOTION CARRIED 5-0.

H. Consider denial of an invoice submitted by Ron Sierra for perceived use payments on parcel #93-4-123-203-0200.

Mike Pollocoff:

Mr. President, we received a bill from Mr. Carlos Sierra contending that the Village owes him \$500 a day for what he perceives as diminished use of his property. He does have property that's in the Carol Beach area in the primary environmental corridor. There are steps and processes where he can apply to the State and federal government for a delineation of his property to determine what's billable and what isn't. That was done previously, and he allowed that to expire. That doesn't mean once it's expired that there is no limitations.

My recommendation is that this claim that we owe him \$500 a day for the use of his property I'd recommend that be denied. I've also included in your packet correspondence from Attorney Mayew who contacted the Army Corps of Engineers in the State indicating that Mr. Sierra has the opportunity to proceed with the development of his parcel, and there's some steps he needs to follow to do that. But the first step isn't to bill the Village for his perceived loss of use. So with that I'd recommend that the claim be denied from the current list of claims.

Steve Kumorkiewicz:

Motion to deny.

Michael Serpe:

I'll second it with a question.

John Steinbrink:

Motion by Steve, second by Mike. Mike?

Michael Serpe:

I know it's Mr. Sierra. Is this the same parcel we had discussion on a few years back?

Mike Pollocoff:

Right.

Michael Serpe:

Things just don't change.

John Steinbrink:

We have a motion and a second. Any further discussion?

KUMORKIEWICZ MOVED TO DISREGARD AND DENY PAYMENT OF THE INVOICE SUBMITTED BY RON SIERRA FOR PERCEIVED USE PAYMENTS ON PARCEL #93-4-123-203-0200; SECONDED BY SERPE; MOTION CARRIED 5-0.

- I. Consent Agenda
 - 1) Approve Operator License Applications on file.
 - 2) Approve Renewal Operator License Applications on file.
 - 3) Approve Police and Fire Commission reappointment.

ALLEN MOVED TO APPROVE CONSENT AGENDA ITEMS 1 – 3; SECONDED BY SERPE; MOTION CARRIED 5-0.

9. VILLAGE BOARD COMMENTS

Monica Yuhas:

I have one tonight, Mr. President. A couple weeks ago I had the opportunity to spend 24 hours at Station 1 with Lieutenant Holm and his crew. And I have to tell you the new hires are very impressive. A couple years ago we went through and we did a mass hiring to get our staff up to where it needs to be. And to spend 24 hours with these guys and to see the knowledge that they have and the care and the service that they provide was really astounding. Thank you, Chief, for allowing me to do that. I really appreciate it. I saw a lot. I only slept for about four hours so it was a busy night.

10. CONSIDER ENTERING INTO EXECUTIVE SESSION PURSUANT TO SECTIONS 19.85(1)(C) AND 19.85(1)G) WIS. STATS. RELATING TO PERSONNEL MATTERS AND TO CONFER WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED.

SERPE MOVED TO ENTER INTO EXECUTIVE SESSION AS NOTICED; SECONDED BY YUHAS; ROLL CALL VOTE - STEINBRINK – AYE; KUMORKIEWICZ – AYE; SERPE – AYE; YUHAS – AYE; ALLEN – AYE; MOTION CARRIED 5-0.

John Steinbrink:

The Board will return to open session for the purpose of adjournment only. No other business will be conducted.

11. RETURN TO OPEN SESSION AND ADJOURNMENT.

YUHAS MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING; SECONDED BY ALLEN; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 8:00 P.M.

Consider **Zoning Map and Zoning Text Amendments (Ord. #13-25 and #13-26)** for the request of James Ablan agent for Center 50, LLC owner, for the proposed redevelopment of the Town N Country Shopping Center located at 4623 75th Street. Specifically, to rezone the property by adding a PUD, Planned Unit Development Overlay District on the property that is currently zoned B-2, Community Business District and a Zoning Text Amendment to create the specific PUD District zoning regulations for the proposed redevelopment of said property to be known now as Center 50.

Recommendation:

On June 24, 2013 the Plan Commission held a public hearing and recommended that the Village Board to approve the Zoning Map and Zoning Text Amendments (**Ord. #13-25 and #13-26**) for the redevelopment of the Town N Country Shopping Center located at 4623 75th Street to be now known as Center 50 as presented at the July 1, 2013 Village Board Meeting.

VILLAGE STAFF REPORT OF JULY 1, 2013

Consider **Zoning Map and Zoning Text Amendments (Ord. #13-25 and #13-26)** for the request of James Ablan agent for Center 50, LLC owner, for the proposed redevelopment of the Town N Country Shopping Center located at 4623 75th Street. Specifically, to rezone the property by adding a PUD, Planned Unit Development Overlay District on the property that is currently zoned B-2, Community Business District and a Zoning Text Amendment to create the specific PUD District zoning regulations for the proposed redevelopment of said property to be known now as Center 50.

The existing multi-tenant strip mall located 4623 75th Street known "Town N' Country Shopping Center" is proposed to be redeveloped and rebranded by the petitioner into "Center 50". The redevelopment and rebranding will include not only a name change but the petitioner is proposing to make building modifications, site plan improvements to the parking areas and drive aisles and sign modifications. As part of the redevelopment, a Planned Unit Development (PUD) is being proposed. A PUD allows the Village some flexibility with dimensional requirements of the underlying B-2 District provided there is community benefit.

The improvements made to the existing "Town N' Country" facility are intended to provide a newer, cleaner look for the mall as it is rebranded to "Center 50" and the petitioner hopes that with the planned renovations, the new "Center 50" will provide a better overall shopping experience to customers and provide a more attractive business area for future tenants.

The current mall has three (3) tenants which will be retained, Ace Hardware, Autozone and Erica's Jewelry. In addition, Family Dollar has submitted a lease agreement to the new owner with their intent to move into one of the vacant tenant spaces. The rest of the tenant spaces will be prepared for new tenants.

The petitioner proposes to update the entire parking configuration to maximize parking for new customers, and provide newly landscaped parking islands to provide an increase in the landscaped green space on the current site.

On June 24, 2013 the Plan Commission conditionally approved Site and Operational Plans including approval of the Digital Security Imaging System and Access Easement for the redevelopment of the Town N Country Shopping Center located south of STH 50 between 45th and 47th Avenues to be known as Center 50.

Site Access, Parking and Landscaping: Reconfiguring the parking lot, by defining parking aisles with curbed landscaped islands, adding landscaped areas adjacent to 45th Avenue, 76th Street and 47th Avenue to define entrances to the site, to remove the existing entrance to 75th Street and to provide landscaped area adjacent to Safeway Auto property northeast of the property.

The propane tank is proposed to be relocated to the southeastern end of the parking area. The relocation of the propane tank will require approval of a new Conditional Use Permit by the Plan Commission and a release of the existing Conditional Use Grant Document #04-11 that is recorded at the Kenosha County Register of Deeds Office prior to its relocation. The required fencing will be required to match the black coated vinyl fencing with black slates used for the garbage dumpsters and bollards shall be painted black.

The current tenant space occupied by Ace Hardware may become available to new tenants when their lease is up in approximately 4 years. Based on the lease expiration, the proposed site plan has been designed to convert the existing outdoor fenced area currently being utilized for outdoor garden sales and storage for Ace Hardware into 24 additional parking spaces for the use of customers at Center 50. The Plans provide for 273 parking spaces (including 8 handicapped accessible parking spaces) on the north and east side of the building. [Note this includes the 24 spaces fenced by Ace for the garden center and three (3) parking spaces where the existing propane tank is located). There will be an additional eight (8) parking spaces provided at the southwest corner of the site.

The minimum on-site parking requirements for retail spaces are one (1) space for each 200 feet of primary floor area plus one (1) space for every 2 employees ((75% of the leasable 58,783 square feet= 44,087/200=220 spaces plus 50/2=25 is a total of 245 parking spaces.)

If any tenant space is used for a restaurant additional parking would be required. The minimum on-site parking spaces required for a restaurant is one (1) space for each 100 square feet of floor area plus one (1) space for every two (2) employees on the largest work shift.

If the entire building is used for retail uses, then based on the primary first floor building area of 44,087 square feet (75% of the leasable 58,783 square feet) and an estimate of 50 employees, the Village Zoning Ordinance requires a minimum of 245 parking spaces plus the required number of handicapped accessible parking spaces pursuant to the State code. (The parking provided onsite is 273 (excluding handicapped accessible spaces and including the 27 parking spaces occupied currently by Ace Hardware Garden Area and propane tank area), which is 28 spaces more than the minimum required. If you include the 27 parking spaces currently fenced by Ace then the Center meeting the minimum parking spaces required.

No parking for employees or customer vehicles is allowed in the rear of the building, with the exception of the eight (8) parking spaces at the southeast corner. If additional parking is required, it can be obtained from the parking lot area west of 47th Avenue (Lots 9 & 10 of Midwest Highland Subdivision) which is owned by the applicant. In the past this area was intended for employee/overflow parking for the center. This parking area has become neglected and not utilized because adequate parking on-site was available.

Lots 9 and 10 of Midwest Highland Subdivision are not proposed to be used as part of this redevelopment; however, at a minimum, these Lots shall be cleaned-up (de-weeded and properly landscaped) or the broken asphalt removed and the site stabilized. Currently, the 2035 Comprehensive Land Use Plan Map indicates these two (2) lots are planned for future commercial use. If the lots are proposed to be converted back to two (2) single family home sites, a Comprehensive Plan Amendment and Zoning Map Amendment would be required.

Landscape islands are being provided at the end of each of the parking islands and the Chase ATM will remain and located within a landscaped island. The exterior area surrounding the parking lot will be green space and landscaped.

The green landscaped area adjacent to STH 50 is located within the right-of-way of STH 50. Pursuant to the landscape plan the existing plantings are proposed to be removed and this area is proposed to be turf. Street trees shall be planted every 50 feet within the right-of-way of STH 50 and grouping of low level plantings shall be provided (the vision triangle shall remain unobstructed). A new three (3) foot high decorative metal fence with brick pillars is proposed to be installed along 75th Street

The green space adjacent to 47th Avenue north of the building will be located on the property it its existing location and the existing landscaping will remain. The new parking are at the southeast corner of the site will be defined by a green landscaped area on the west and south. The green space area on the west adjacent to 47th Avenue will be within the property and a portion of the green space on the south will be on the property and within the right-of-way. Pursuant to the landscape plan this area is proposed to be turf. Low level plants with one street tree be planted in the green space adjacent to 47th Avenue (the vision triangle shall remain unobstructed.)

The green space adjacent to 45th Avenue and the parking area at the southeast corner is proposed to be located within the right-of- way of 76th Street and 45th Avenues. Pursuant to the Landscape Plan only a few trees are proposed. Street trees shall be placed every 50 feet along 45th Avenue and 76th Street (the vision triangle shall remain unobstructed).

Currently on the site there is limited green space (approximately 2,800 square feet). The Plan as proposed would provide 14,700 square feet or 13.9% of the 4.7 acre site within green space areas within an addition 3,347 square feet of green space off-site within the right of way of STH 50, 45 and 47th Avenues and 76th Street.

New light standards will be installed within the landscaped islands on the site. The height of the lights shall not exceed 20 feet in height and the concrete pedestal that the lights site on shall not exceed 12" above grade. If the light poles are proposed to be used for security cameras as discussed below, the lights standards shall be sized to handle the required wind loads and design criteria for the security system.

A work in the right-of-way permit will be required for all work done with the Village's right-of-way and will be required to be done by a Village pre-approved contractor. In addition, all work within STH 50 will require permits to be obtained from the WI DOT prior to work commencing.

Building and Façade Improvements: As part of the redevelopment of the site the building will be modified and updated. The building will be fully sprinklered pursuant to the Village Fire Suppression requirements. The building façade improvements include:

- Increasing the square footage by 1,565 sq. ft. to 60,332 sq. ft. This small addition will be in three areas at the front of the building to eliminate that alcoves and provide one continuous façade.
- Removing the canopy and creating a new parapet for the front of the building
- To reconfigure the units within the building. A total of 11 tenant spaces will be provided and the basement will be allowed for storage by the tenants since the petitioner is installing fire sprinkler system. (Note: All tenant changes, including storage in the basement will required permits and inspections by the Village Building and Fire & Rescue Departments prior to occupancy.)
- **North (front) facade**: The current peaked parapet and the covered canopy over the sidewalk and store entrance areas on the front façade will be removed and a new parapet and façade will be added. The main store front areas will be re-glazed with bronze aluminum frames and new doors will be installed. The existing painted brick and glazed tile will be replaced with a new brick veneer and all windows on the front will be replaced within the exception of the windows on Ace Hardware and Auto Zone areas. The new parapet wall will provide a higher elevation (19 feet) will be added at three locations, Tenant Space 4 occupied by Auto Zone, Tenant Space #7 to be occupied by Family Dollar and Tenant Space #11 occupied by Ace Hardware. The tenant spaces between these heights will drop down 3 feet (16 feet). A band of EFIS is proposed which will provide space for the tenant wall signage and the parapet wall (both the 16 foot and 19 foot sections) will be topped with a decorative cornice feature.
- <u>West (side) facade</u>: the brick on the west side of the building will remain. The windows will remain and the wood trim detail under the window will be removed and the plaster area painted to match the brick, the entrance doors and concrete steps will remain. The concrete steps must be repaired and the door, door frame and rails shall be painted black. The canopy area and brick piers are proposed to remain however existing trim details will be removed and the plaster will be painted to match the brick.

- South (rear) façade: The existing block wall and metal ribbed panels are proposed to remain unchanged. New guard rails are proposed by each loading dock area and two new dock door areas with stairs are proposed. In addition six (6) new block dumpster enclosure areas are proposed in the rear of the building. The block dumpster enclosure is proposed to be eight (8) feet high. The fence gates are proposed to be chain link with vinyl slats. All metal railings, door frames and doors will be painted black, and remain painted black. All back doors shall have lettering stenciled with the tenant space number (maximum height of letters/number 3"). Areas inform of the dumpsters and the loading docks will be replaced with concrete on the property and within the right-of-way of 76th Street to meet the edge of the paved road. Three other areas where heavy traffic is not proposed will remain asphalt from the building to the edge of the road. In addition, the developer is working with We Energies and other utilities to relocating some of the existing poles.
- <u>**East (side) façade</u>**: The existing block wall and metal canopy are proposed to remain unchanged. The metal canopy will likely be removed when the outdoor garden area for Ace is removed.</u>

Signage: The existing non-conforming pylon sign will be removed and replaced with a new sign to complement the proposed changes to the building/site. The sign is proposed to be 18 feet high with 135 square feet of display area on each side for the tenants including the signage area for "CENTER 50". The sign will be placed on a brick base to match the building within a landscaped area and the address of the center-4623 75th Street will be on the base of the sign. The address letters shall be a minimum of 3" high and 18 inches off the ground so that the address remains visible after the required landscaping is installed. The leading edge of the sign is proposed to be setback five (5) feet from the property line adjacent to 75th Street.

Security. As part of the PUD, a Digital Security Imaging System (DSIS) is required and will be installed pursuant to the Village Ordinance requirements and the executed DSIS Agreement for the development. See attached final draft DSIS Agreement and Access Easement. Prior to issuance of building permits, the DSIS Agreement shall be executed and the DSIS Access Easement must be recorded at the Kenosha County Register of Deeds. The DSIS shall be inspected and operational by November 1, 2013 or prior to the Village issuing a written Certificate of Compliance for building and site improvements, <u>whichever occurs first</u>.

Planned Unit Development Overlay District (Zoning Map and Text Amendments--Ord. #13-25 and #13-26): As part of the redevelopment, a Planned Unit Development (PUD) is being proposed. Currently the building, parking lot and open space do not meet the Village Ordinance requirements, the PUD allows the Village some flexibility with these dimensional requirements of the underlying B-2 District provided there is community benefit.

Since this property abuts four (4) streets, the B-2, Community Business District currently requires that the building be setback a minimum of 65 feet from the property line adjacent to STH 50 (75th Street) and a minimum of 40 feet from the property lines adjacent to 45th Avenue, 47th Avenue and 76th Street. The existing building, that was built in 1959 does not meet these minimum setbacks requirements and is considered a legal but non-conforming structure. In particular the building is 17.6 feet from the property line adjacent to 76th Street with concrete steps, loading docks and garbage enclosures with nearly zero setback (the existing garbage dumpster behind space 13 that is in the right-of-way of 76th Street shall be removed); the building is setback to 45th and 75th Street meet the minimum setback requirements and the building is setback 8.8 feet from the property line adjacent to 47th Avenue with the supports for the covered walkway within nearly zero setback.

The Village Zoning Ordinance requires that the parking lots, including fire lanes and maneuvering lanes, be located a minimum of 20 feet from property lines. Existing paved parking lots are paved to the property lines and some existing parking adjacent to 47th Avenue is located within

the right-of-way of 47th Avenue. In addition, the Zoning Ordinance requires landscaped islands for every 25 parking spaces. The parking areas are proposed to be reconfigured to provide additional landscaped areas within the site.

The PUD, as **attached**, includes the following modifications:

- Reduces building setback to allow a zero foot building setback to 76th Street and 47th Avenue (which includes all concrete steps, loading docks, garbage enclosures and supports for covered walkways).
- Allows the detached ATM enclosure to be setback a minimum of 20 feet from property lines.
- Reduces the parking lot setback to the property line provided that clearly defined entrances and exits are provided to the site from 45th Avenue, 47th Avenue and 76th Street and the entrance to STH 50 is being removed.
- Requires curbed landscape islands at the end of all parking aisle and additional landscaping is being provided along the perimeter of the site (some green space areas within the right-of-way.
- Allows the primary monument sign to be 18 feet high and setback a minimum of five (5) feet from the property line.
- Allows for the three (3) foot high decorative fence to be located on the property line adjacent to STH 50.
- Allows the minimum open space requirements to be reduced.
- Allows for the construction of detached garbage enclosures.
- Requires that the development be monitored by a Digital Security Imaging System and an Access Easement provided to the Village.
- As required by the Village Municipal Ordinance, the building shall be protected by an automate fire sprinkler system

Recommendation: On June 24, 2013 the Plan Commission held a public hearing and recommended that the Village Board to approve the Zoning Map and Zoning Text Amendments (**Ord. #13-25 and #13-26**) for the redevelopment of the Town N Country Shopping Center located at 4623 75th Street to be now known as Center 50 as presented.

ORD. # 13-25

ORDINANCE TO CREATE THE CENTER 50 PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO CHAPTER 420-137 OF THE VILLAGE ZONING ORDINANCE IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN

BE IT ORDAINED by the Village Board of Trustees of the Village of Pleasant Prairie, Kenosha County, Wisconsin, that the following Planned Unit Development (PUD) Ordinance is hereby created for the Center 50 development pursuant to Chapter 420-137 of the Village Zoning Ordinance to read as follows:

CENTER 50 PLANNED UNIT DEVELOPMENT (PUD)

- a. It is the intent that the Center 50 (hereinafter referred to as the "DEVELOPMENT"), will provide for structures, improvements and uses on the property as legally described below in conformity with the adopted Village Comprehensive Plan and in compliance with the basic underlying B-2, Community Business Zoning District with the goal of facilitating development in a fashion that will not be contrary to the general health, safety, economic prosperity, and welfare of the Village, with the additional goal of encouraging proper maintenance of the structures, landscaping, sitting areas, fencing, parking areas, lighting, signage and general site development so as to promote an attractive and harmonious commercial development area and seek to achieve a commercial/business environment of sustained desirability and economic stability, which will operate as a uniform commercial development with the surrounding commercial properties located both in the Village of Pleasant Prairie and the nearby City of Kenosha as well as avoids unreasonable adverse effects to the property values of the surrounding properties and surrounding neighborhood.
- Legal Description: The property located at 4623 75th Street and identified as Tax Parcel Number 91-4-122-111-0050 and known as Lots 1 through 15 of the Graystones Subdivision and also beginning at the northeast corner of 47th Avenue and 76th Street East 150 feet, North 145.11 feet, West 150 feet, South 147.55 feet, except North 100 feet of Lot 1 except east 50 feet of North 100 feet of Lot 2, except north 20 feet of highway and further identified as part of the Northeast One-Quarter of U.S. Public Land Survey Section 11, Township 1 North, Range 22 East of the Fourth Principal Meridian in the Village of Pleasant Prairie.
- c. Requirements within the DEVELOPMENT:
 - (i) The DEVELOPMENT shall be in compliance with all Federal, State, County and Village Ordinances and regulations, except as expressly modified by this PUD Ordinance.
 - (ii) The DEVELOPMENT, including but not limited to, the building(s), sign(s), fence(s), garbage dumpster enclosures, landscaping, street trees, parking lot(s), exterior site lighting, etc., and the site as a whole, shall be maintained on a regular basis in a neat, presentable, aesthetically pleasing, structurally sound and non-hazardous condition. This site maintenance shall also include the daily picking up and disposal of trash and debris which may accumulate on the sites.
 - (iii) The owners of the DEVELOPMENT shall be in compliance with the Digital Security Imaging System Agreement (DSIS) and Access Easement as approved by the Village on June 24, 2013.
 - (iv) The DEVELOPMENT shall be in compliance with all applicable Site and Operational Plan(s), Conditional Use Permits (if applicable) and other Planned Unit

Developments (if applicable), approved by the Village and on file with the Village Community Development Department for this property.

- (v) The main Center 50 building shall be retrofitted with automatic fire sprinkler protection system.
- (vi) All buildings and any site alterations and modifications, excluding general building and site maintenance within the DEVELOPMENT, shall be made in accordance with the applicable Village Ordinances and Codes at the time the modification is proposed.
- (vii) All buildings/structures, including the onsite ATM building, and all exterior additions, remodeling or alterations to the any buildings/structures within the DEVELOPMENT shall be constructed of the same or complimentary exterior materials, colors and architectural style to ensure a unified commercial development, including signage, lighting, fencing, outdoor furniture, etc. as approved by the Village. No painting of the building brick shall be allowed.
- (viii) The DEVELOPMENT shall be operated and maintained in a uniform manner, regardless of property ownership. If the DEVELOPMENT is sold to another entity(s), the DEVELOPMENT shall continue to operate as a unified commercial development PUD and shall continue to comply with this PUD and all other PUDs that may be applicable this DEVELOPMENT, which may be amended from time to time. Specifically, but not limited to, the commercial building parking lots shall be utilized as a shared parking lots and cross-access easements shall be designed in order to allow and facilitate the movement of vehicular traffic from property to property.
- (ix) Delivery vehicles and trucks shall be temporarily parked in an inconspicuous location on the site and within designated parking spaces as directed by the Zoning Administrator. No trucks [e.g. semi cab, semi trailer, construction vehicles (except when permitted construction activities are taking place), step vans, delivery vans (except when goods and merchandise are being delivered), business-related vehicles with advertising displayed on the vehicles, catering vehicles, other commercial vehicles, etc.] shall be parked within the DEVELOPMENT.
- (x) <u>Outdoor</u> seasonal sale displays and product sales areas (e.g. Christmas tree sales, pumpkin sales, other seasonal merchandise sales, general merchandise sales, special party supply sales, etc.) shall not be allowed, unless expressly approved and if required, licenses are obtained from the Village. There shall be no driveway or sidewalk displays of merchandise or any other items placed oar stored on the sidewalk including temporary signage unless it is expressly allowed by the Zoning Administrator. Holiday decorations are allowed on the building and the light poles insofar as they are timely removed or within 21 days after the holiday.
- (xi) Commercial communication antennas, whips, panels, satellite dishes or other similar transmission or reception devices that are mounted inside the buildings or are adequately camouflaged so as no to be readily seen by the general public, as either an accessory use, as specified in Chapter 420-120 D. (3) of the Village Zoning Ordinance are allowed without approval of a Conditional Use Permit within this Development.
- (xii) Temporary or permanent storage containers (some having brand names such as P.O.D.S, S.A.M.S., etc.) and compactors are not allowed on either a permanent or temporary basis within the DEVELOPMENT. All merchandise, products, crates, pallets, recycling, etc., storage shall be placed inside a building.
- (xiii) All exterior signs on the building and site shall comply with the Village Zoning Ordinance or as specifically allowed in this PUD.

- (xiv) No flags, pennants, streamers, inflatable signage, plastic banner-type signage, spot lights, shall be affixed to any light pole, building, landscaping vehicle, roof-top, or the ground shall be allowed unless expressly permitted by the Zoning Ordinance. There shall be no persons walking with advertising signs in the DEVELOPMENT.
- (xv) All plastic banners or temporary signs shall be removed from the DEVELOPMENT unless proper permits are obtained from the Village.
- (xvi) The DEVELOPMENT shall comply with the designated business hours of operation and hours of delivery times for the B-2 District at all times during the year, even during the holiday seasons. Extended hours of business operations during holiday periods may be granted on a case by case basis by the Village, if the owners/tenants enter into a separate Agreement with the Village for the provision of additional police/security services as determined necessary by the Police Chief to accommodate the extended hours. Center 50 shall be responsible for any Village police officer or parking officer security services that are incurred and invoiced by the Village that are related to the extended holiday shopping hours.
- (xvii) The DEVELOPMENT, which includes the buildings, structures, fencing, signage, sitting areas, parking lots and the site area shall be maintained in a neat, presentable, aesthetically pleasing, structurally sound and nonhazardous condition. Landscaping shall be planted and maintained pursuant to the approved Landscape Plan. All litter and debris shall be promptly removed.
- (xviii) The garbage dumpster areas shall be kept clean and presentable at all times. Garbage and litter shall be removed from around the exterior of the enclosures on a daily basis. The garbage dumpsters shall be placed back into their enclosures and the enclosure doors shall be closed and secured on a daily basis.
- (xix) The DEVELOPMENT shall not be used for any outside overnight or daytime parking of junked, inoperable, dismantled or unlicensed vehicles. All junked, inoperable, dismantled or unlicensed vehicles that are parked outside will be issued citations. No extended overnight parking of passenger vehicles is allowed in the parking lots. Vehicles, including trucks, cars and trailers, shall not be parked for sale on the property.
- (xx) Any graffiti or inappropriate markings which deface the building(s), dumpster enclosures, parking lots or other areas on the site shall be removed, fixed or painted within a 48 hour of notification by the Village.
- (xxi)
- (xxii) In the event that any tenant requests public transportation to service the DEVELOPMENT, it shall be the responsibility of the requesting party(ies) to fund the cost of providing such public transportation to and from the DEVELOPMENT.
- (xxiii) The DEVELOPMENT shall comply with all applicable performance standards set forth in Section 420-38 of the Village Zoning Ordinance.
- d. Specific modifications to the Village of Pleasant Prairie Zoning Ordinance for the DEVELOPMENT:
 - (i) Section 420-119 I (3) related to Open Space is amended as follows:
 - (3) The DEVELOPMENT shall maintain a minimum of 13.9% open space on-site. In addition, all landscaped areas adjacent to the site shall be maintained by the property owner. Maintenance shall include, watering, weeding, trimming, replacing mulch or stone, sweeping up the mulch or leaves, re-staking trees and replacing any dead or dying trees, bushes or plants.

- (ii) Section 420-119 I (4) (a) related to gross floor area for principal buildings shall be amended as follows:
 - (a) Gross floor area: 60,350 square feet maximum square feet (excluding the basement).
- (iii) Section 420-119 I (4) (c) related to building setbacks is amended as follows:
 - (c) Setbacks:
 - [1] Street setback: minimum of 65 feet from STH 50 (75th Street); a minimum of 40 feet from 45th Avenue, a zero setback from 76th Street and 47th Avenue; except that the ATM building shall be setback a minimum of 20 feet from any property line.
- (iv) Section 420-119 I (5) related to detached accessory building/trash enclosure standards shall be amended as follows:
 - (5) Detached accessory building/trash enclosure standards: one detached accessory building is allowed not to exceed 125 square feet and detached garbage enclosures are allowed in the rear of the building as approved by the Zoning Administrator.
- (v) Section 420-47 L related to setbacks for parking spaces and parking lots shall be amended as follows:
 - L. No setback between the property line and the parking areas including maneuvering lanes, parking spaces, and paved surfaces for deliveries and garage pickup provided adequate landscaping is provided between the property boundary and the street; however, the setback to the property boundaries to the neighboring property at the northeast corner of the DEVELOPMENT shall be a minimum of five feet.
- (vi) Section 420-76 T. related to Primary Monument Signs shall be amended as follows:
 - T. Primary Monument Signs
 - (1) One sign is required for the property within the DEVELOPMENT.
 - (2) A changeable copy sign, electronic changing message sign or electronic scrolling sign is permitted.
 - (3) Maximum area: 135 square feet per face
 - (4) Maximum height: 18 feet.
 - (5) Minimum setback distance: five feet from any public street or highway right-of-way line.
 - (6) Shall include the street address of the principal building on the property, including the street number(s) and the name of the street, but such address may be placed on the base of the sign (where they will not count toward the maximum area of the sign display).
 - (7) Landscaping shall extend a minimum of five feet in every direction from the base or other support structure of the sign.
 - (8) May be illuminated.

- (9) Shall be placed on a solid-appearing decorative base which supports a minimum of 75% of the horizontal dimension of the sign display constructed or stone or brick to match the building.
- (10) The base of the sign shall be two feet height and shall not extend to either side of the sign display by a distance exceeding 1/2 of the horizontal dimension of the sign display, or extend above the level of the top of the sign display by a distance exceeding 1/2 of the vertical dimension of the sign display.
- (vii) Section 420-81 B (2) (b) related to setback to street property lines for commercial fences shall be amended as follows:
 - (b) The proposed decorative, black, aluminum fence with brick pillars may be located on property line instead of the required 15 foot setback, provided that the fence height does not exceed 42 inches in height.

e. Amendments

- (i) The PUD regulations for the DEVELOPMENT may be amended pursuant to Chapter 420-137 of the Zoning Ordinance.
- (ii) The Zoning Administrator has the discretion to approve minor changes, adjustments and additions to this PUD ordinance document without the need for Village Plan Commission and Village Board review and approval.

Adopted this 1st day of July 2013.

VILLAGE OF PLEASANT PRAIRIE

John P. Steinbrink Village President

ATTEST:

Jane M. Romanowski Village Clerk

Posted: _____

ORD. # 13-26

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN PURSUANT TO CHAPTER 420-13 OF THE VILLAGE ZONING ORDINANCE

BE IT ORDAINED by the Village of Pleasant Prairie Board of Trustees, Kenosha County, Wisconsin, that the Official Village Zoning Map is hereby amended as follows:

The subject property located at 4623 75th Street and located in U.S. Public Land Survey Section 11, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 91-4-122-111-0050 and the adjacent portion of the right-of-way are hereby rezoned from the B-2, Community Business District with an Urban Landholding Overlay District to the B-2 (PUD), Community Business District with a Planned Unit Development Overlay District.

The Village Zoning Administrator is hereby directed to record this Zoning Map Amendment on the appropriate sheet of the Official Village Zoning Map and Appendix B in Chapter 420 of the Village Municipal Code shall be updated to include said amendments.

Adopted this 1st day of July, 2013.

VILLAGE BOARD OF TRUSTEES

John P. Steinbrink Village President

ATTEST:

Jane M. Romanowski Village Clerk

Posted:_____

26-Center 50 PUD .doc

| PLEASANT PRAIRIE | Public Hearing Fee Paid | 20Published 20 20 Denied 20 Denied | 20 |
|---|--|---|------------------|
| VILLAGE OF PLEASANT PRAIRIE, WI ZONING MAP AND TEXT AMENDMEN | | MAY MAY | 13 2013 |
| To: Village Plan Commission & Village Boa | ard of Trustees of the V | illage of Pleasant Prairie | Pleasant Prairie |
| I, (We), the undersigned owner(s)/agent do h Pleasant Prairie Zoning Map as hereinafter r | nereby petition the Villa | | |
| It is petitioned that the following described p District(s) to PVI to be rezoned is located at: 4623 75 as follows: $NE 1/4 \notin NW 1/4$ St DATED 7-23-2012 EY M Tax Parcel Number(s): $91-4-122$ The proposed use for this property is: $5H$ | D Di TH STREET ECTION 11-1-22 MARESCALCO C -111-0050 | istrict(s). The property p and is legally of <u>PER SURVE</u> COUNTYWIDE SURVE | petitioned |
| Petitioner's interest in the requested rezoning | : PVD | | |
| Compatibility with adjacent land uses: | | | |
| I (We) are also requesting a Zoning Text Am the Village Zoning Ordinance. | nendment to amend Sect | tion | of |
| I (We), have contacted the Community Deve discuss the proposed request to determine add | | | |
| I, (We), hereby certify that all the above stat correct to the best of my knowledge. | ements and attachments | submitted herewith are | true and |
| PROPERTY OWNER: | OWNER'S | AGENT: | |
| Print Name: CANTER SO, LLC | Print Name | : | |
| Signature: | | | |
| Address: 333 RJ Michiga | | | |

(City) (State) (Zip) (City) (State) (Zip) Phone: Fax: Email: JABLAN OBEACON BTALTY CAPITAL. Com Email: Date:

Phone: 312.291.9949

Fax: 312.291.9976

Date 2.14.13

Operational plan.

(1) Operational plan requirements. The applicant shall prepare and file as part of the application for site and operational plan approval an operational plan which shall include at least the following information or materials:

(a) A detailed narrative description of the operations, processes and functions of the existing and proposed uses to be conducted in or on the real property constituting the site, together with any diagrams, maps, charts or other visual aids that are helpful in understanding the operations and any potential adverse impacts on neighboring properties.

The existing facility is the "Town N' Country" multi-tenant strip mall located along Highway 50 between 47th Avenue and 45th Avenue. Our intent is to rebrand the strip mall into "Center 50" and provide a façade upgrade, site plan improvements to the parking areas and drive aisles for proper water drainage. The current mall has 3 tenants which will be retained, Ace Hardware, Autozone and Erica's Jewelry. In addition, Family Dollar has submitted a lease agreement to the new owner with their intent to move into one of the vacant tenant spaces. The rest of the tenant spaces will be prepared for new tenants as they become available in the future.

The current tenant space occupied by Ace Hardware will become available to new tenants when their lease is up in approximately 4 years. Based on the lease expiration, our proposed site plan is based on potentially being able to convert the existing outdoor fenced area used by Ace Hardware (currently being utilized for outdoor garden sales and storage) into 27 additional parking spaces for the use of customers at Center 50 in approximately 4 years. We plan on updating the entire parking configuration to maximize parking for new customers, and provide newly landscaped parking islands to provide an increase in the landscaped green space on the current site.

The improvements made to the existing "Town N' Country" facility will help provide a newer, cleaner look for the mall as it is rebranded to "Center 50". It is our hope that with the planned renovations, the new Center 50 will provide a better overall shopping experience to customers and provide a more attractive business area for future tenants.

(b) A detailed description of the proposed project or activity giving rise to the need for site and operational plan approval and a detailed explanation of how such project or activity relates to the site and to the existing or proposed operations to be conducted in or on the real property constituting the site.

The existing "Town N' Country" mall is a very run-down and dated building that has not been maintained by its previous owners and tenants. The new owner (Center 50, L.L.C.) plans to make improvements to the existing building and site in order to draw new tenants to the mall, which will generate increased business growth and revenues for the village of Pleasant Prairie, and to help generate growth and renewed interest in the shopping areas of Pleasant Prairie.

(c) Gross floor area of the existing building(s) and/or proposed addition.

The existing Town N' Country mall has a footprint of +/- 58,787 s.f.

The proposed improvements to Center 50 will increase the footprint to +/- 60,332 s.f.

(d) Anticipated hours of operation, hours open to the public, and hours of deliveries or shipments.

This will be dependent on future tenants of Center50. Current hours range from 9am-10pm for the various existing tenants occupying the mall.

(e) Anticipated startup and total number of full- and part-time employees.

This will be dependent on future tenants of Center50. Currently only 3 tenants remain out of 11 potential tenant spaces located within the mall. The current 3 tenants have an employee count of about 16 employees combined, and we will be estimating that each new tenant will provide 4 new employees in smaller tenant spaces and 6 new employees in larger tenant spaces. Based on retail shops being the

primary tenants at Center 50, we estimate that once all tenant spaces are occupied, there will be between 50-55 employees total.

(f) Anticipated number of shifts and the anticipated number of employees per shift.

This will be dependent on future tenants of Center50. No accurate estimate can be given at this time due to the various types of tenants that would be able to occupy each space, but a reasonable estimate of 2 shifts per day for each tenant shall be used. Each tenant will vary between 4-6 employees per shift.

(g) Anticipated maximum number of employees on site at any time of the day.

This will be dependent on future tenants of Center50. No accurate estimate can be given at this time due to the various types of tenants that would be able to occupy each space, but we shall estimate that there will be around 50 employees on site at any given time if the mall reaches full tenant capacity.

(h) Number of anticipated students, participants or persons to be gathered in places of assembly, if applicable.

N/A

(i) Number of parking spaces required per this chapter and the method used to calculate such number.

(ii)

(iii) Spaces required = 1:200 s.f. of primary retail space + 1 per 2 employees

(iv) Spaces required = 5 spaces per 1,000 s.f. of Hardware Store

(v) Spaces required = 1:1000 s.f. of Storage Warehouse

(vi) Spaces required = 1:400s.f. for Auto Parts store + 1 per employee

(vii)

(viii) Tenant #1 (Primary Retail) = 2,013sf / 200 = 10 + 4 employees = 10 + 2 = 12 spaces Tenant #2 (Primary Retail) = 1,174sf / 200 = 6 + 4 employees = 6 + 2 = 8 spaces Tenant #3 (Primary Retail) = 2,185sf / 200 = 11 + 4 employees = 11 + 2 = 13 spaces Tenant #4 (Auto Parts Store) = 10,813sf / 400 = 28 + 6 employees = 28 + 6 = 34 spaces Tenant #5 (Primary Retail) = 4,338sf / 200 = 22 + 4 employees = 22 + 2 = 24 spaces Tenant #5 (Primary Retail) = 2,144sf / 200 = 11 + 4 employees = 11 + 2 = 13 spaces Tenant #7 (Primary Retail) = 2,144sf / 200 = 36 + 6 employees = 36 + 3 = 39 spaces Tenant #8 (Primary Retail) = 2,406sf / 200 = 12 + 4 employees = 12 + 2 = 14 spaces Tenant #8 (Primary Retail) = 1,280sf / 200 = 7 + 4 employees = 7 + 2 = 9 spaces Tenant #10 (Primary Retail) = 2,032sf / 200 = 10 + 4 employees = 10 + 2 = 12 spaces Tenant #11 (Hardware Store) = (store 12,475sf / 200 = 63) + (storage 1,549sf / 1000 = 2) = 65 spaces Total required parking spaces = 243 car parking

Total parking spaces provided = 272 car parking

(j) Number of existing and proposed on-site parking spaces to be provided (conventional spaces and handicapped spaces to be stated separately).

Existing parking: 230 spaces + 5 Handicapped spaces = 235 Total

Proposed parking: 264 spaces + 8 Handicapped spaces = 272 Total

(k) Anticipated daily average and maximum potential number of automobile trips to and from the site (excluding trucks).

This will be dependent on future tenants of Center50. No accurate estimate can be given at this time due to the various types of tenants that would be able to occupy each space.

(I) Anticipated daily average and maximum potential number of truck trips to and from the site.

This will be dependent on future tenants of Center50. It is reasonable to assume that each tenant space would allocate one truck delivery per day on average.

(m) Types of goods and materials to be made, used or stored on site.

This will be dependent on future tenants of Center50. Current tenants will be storing auto parts and hardware items within the tenant spaces, along with Ace Hardware using a fenced outdoor area for lawn and garden items.

(n) Types of equipment or machinery to be used on site.

This will be dependent on future tenants of Center50.

(o) Types of solid or liquid waste materials which will require disposal.

This will be dependent on future tenants of Center50. Each tenant space is allocated at least one dumpster for trash disposal.

(p) Method of handling, storing and disposing of solid or liquid waste materials.

Each tenant space will be provided with enclosed dumpsters for the removal of all waste products allowed under law to be disposed of. Each tenant will be responsible for the proper disposal of any items that are considered hazardous or not allowed to be disposed of in a regular dumpster container.

(q) Methods of providing site and building security other than the Village Police Department.

Each tenant will have their own keys for their respective spaces, along with each tenants own improvements which may include separate security systems and video cameras.

(r) Description of the methods to be used to maintain all buildings, structures, site improvements and sites in a safe, structurally sound, neat, well cared for and attractive condition.

Maintenance crews will be dispatched as necessary to uphold the look of the building, landscaping, and any maintenance related items. A building manager will be on call for all tenants.

(s) Description of potential adverse impacts to neighboring properties or public facilities and measures to be taken to eliminate or minimize such adverse impacts.

During the renovation of the existing building and site, proper care will be taken to section off all areas of work in order to protect surrounding areas, employees and customers.

(t) A list of all local, county, state and federal permits or approvals required for the project or activity giving rise to the need for site and operational plan approval and copies of such permits and approvals that have been obtained.

Demolition permit and Asbestos removal permits have been obtained and completed. Fire Sprinkler installation permits have been obtained and completed. Façade renovation and tenant improvement

permits need to be obtained. Site improvement permits need to be obtained. PUD required for non-conforming site.

(2) Operational plan standards. In addition to any other applicable requirements or standards specified in this chapter, the following requirements or standards shall apply to the operational plan:

(a) No use shall be conducted in such a way as to constitute a public or private nuisance.

(b) No use shall be conducted in such a way as to violate any of the performance standards set out in § <u>420-38</u> of this chapter.

(c) (reserved)

(d) No owner, occupant or user of real property shall conduct a use so intensively that there is inadequate provision of on-site parking spaces and/or loading spaces to accommodate the needs of such use.

(e) All buildings, structures, site improvements and sites shall be maintained in a safe, structurally sound, neat, well cared for and attractive condition.

(f) Within a building, any provision of live entertainment in connection with a business or club use involving the selling or service of alcoholic beverages shall comply with the following restrictions:

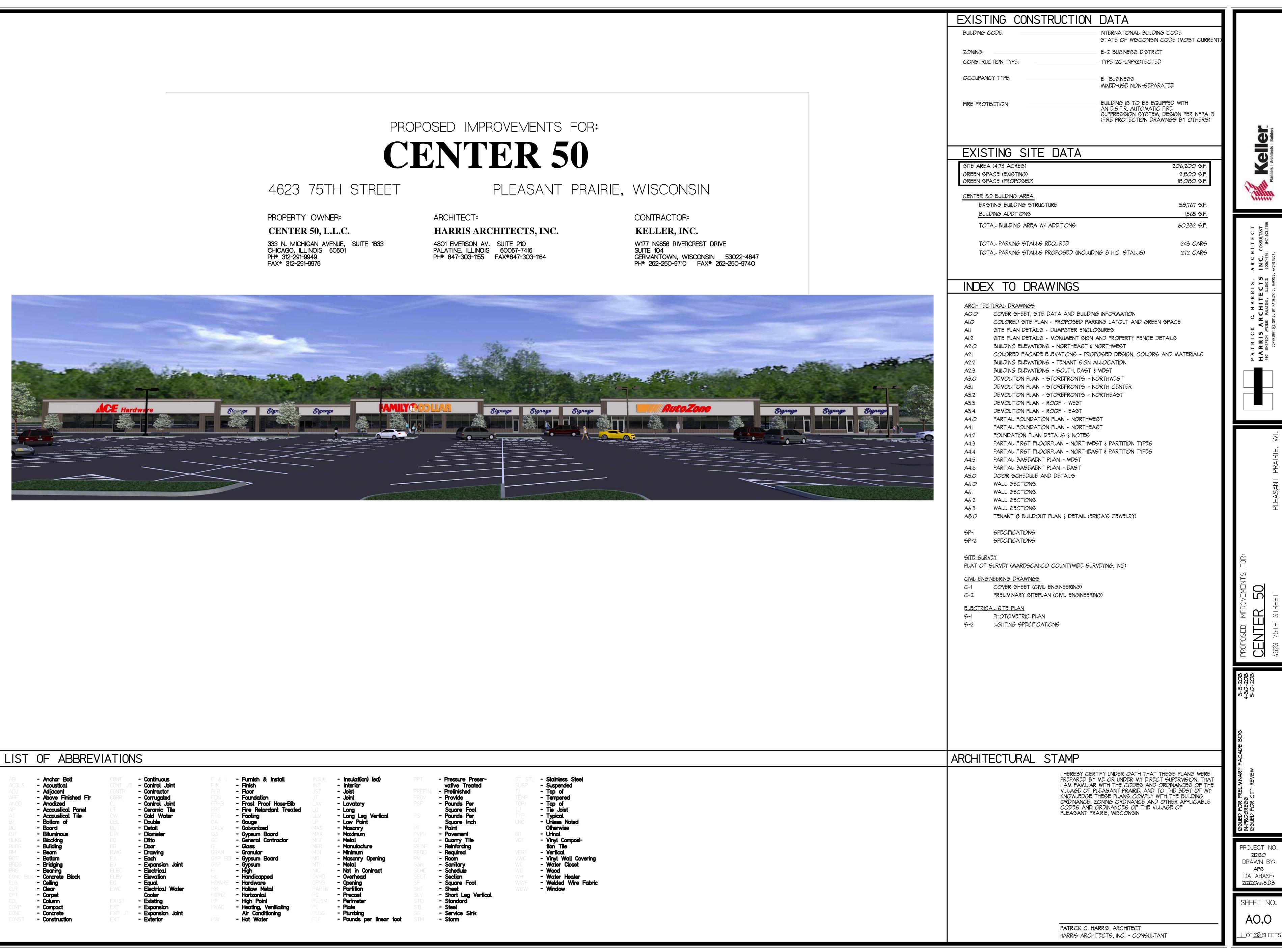
[1] Live entertainment shall be provided only on a raised platform that is not less than 23 inches higher than the elevation of the surrounding floor surfaces where customers, members or their guests are sitting, standing or dancing;

[2] Customers, members or their guests shall at all times be separated from the raised platform on which live entertainment is being provided by a distance of not less than four feet and a physical barrier to mark and enforce such separation distance; and

[3] There shall be no touching of any kind between entertainers and customers, members or their guests.

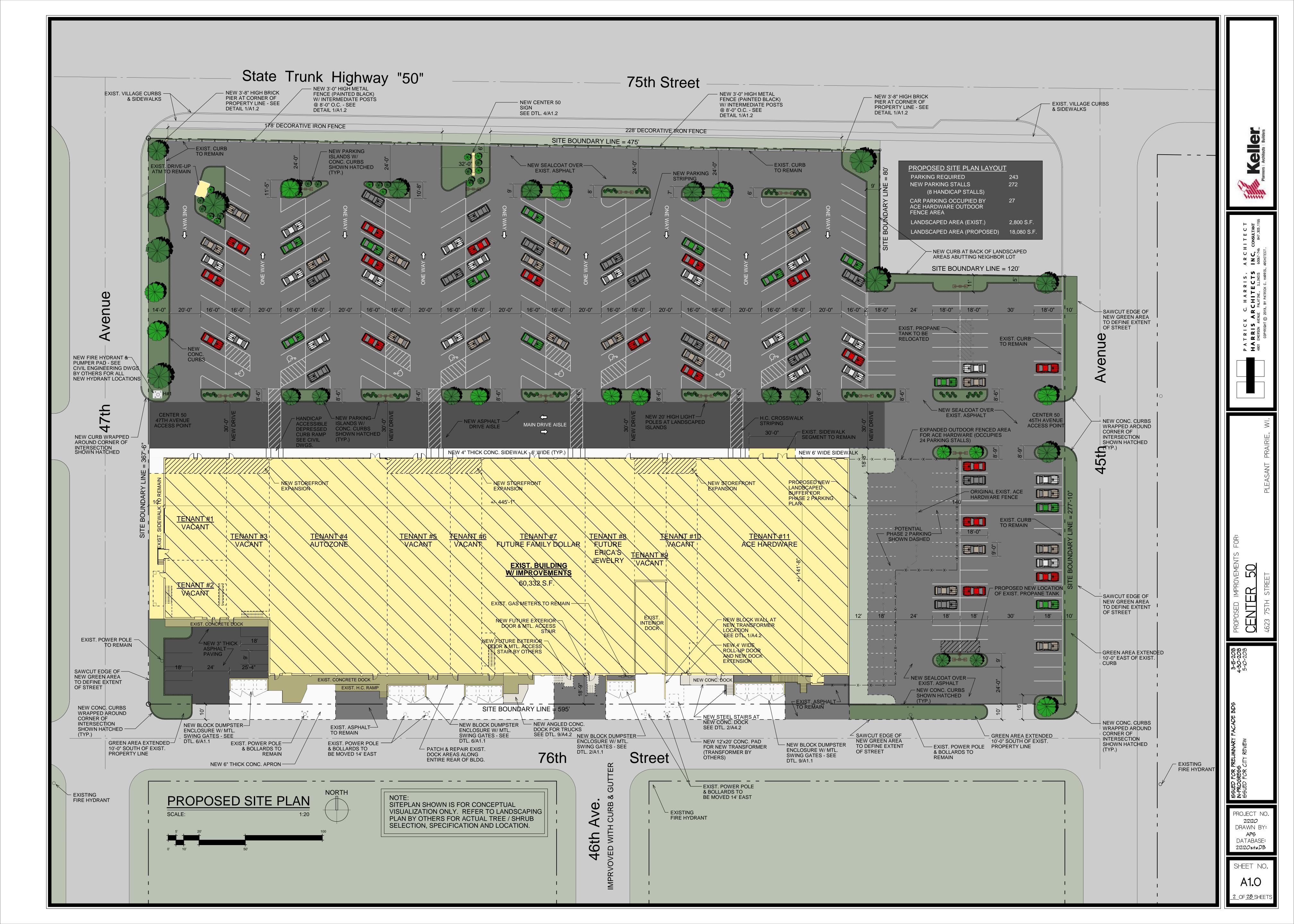
(g) No proposed new or expanded use shall be permitted to create or significantly exacerbate unsafe traffic conditions on any street or highway in the Village.

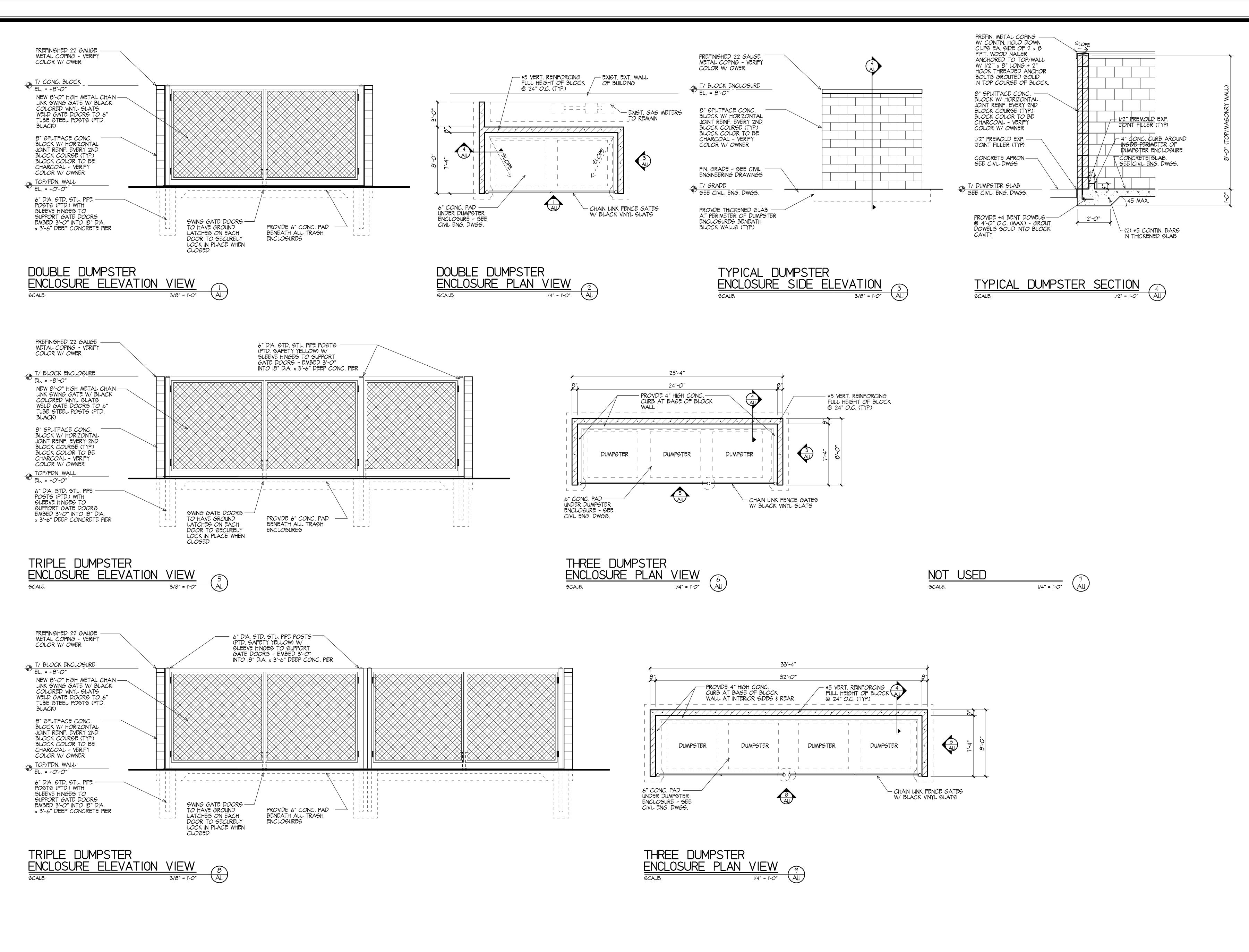
(h) Indoor pyrotechnic displays are prohibited.

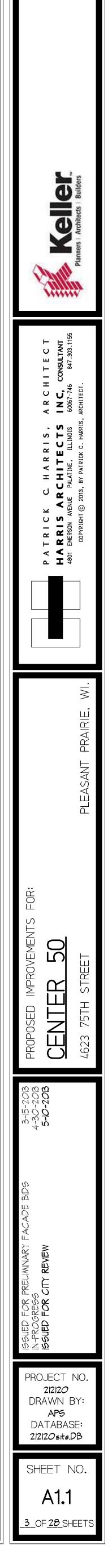


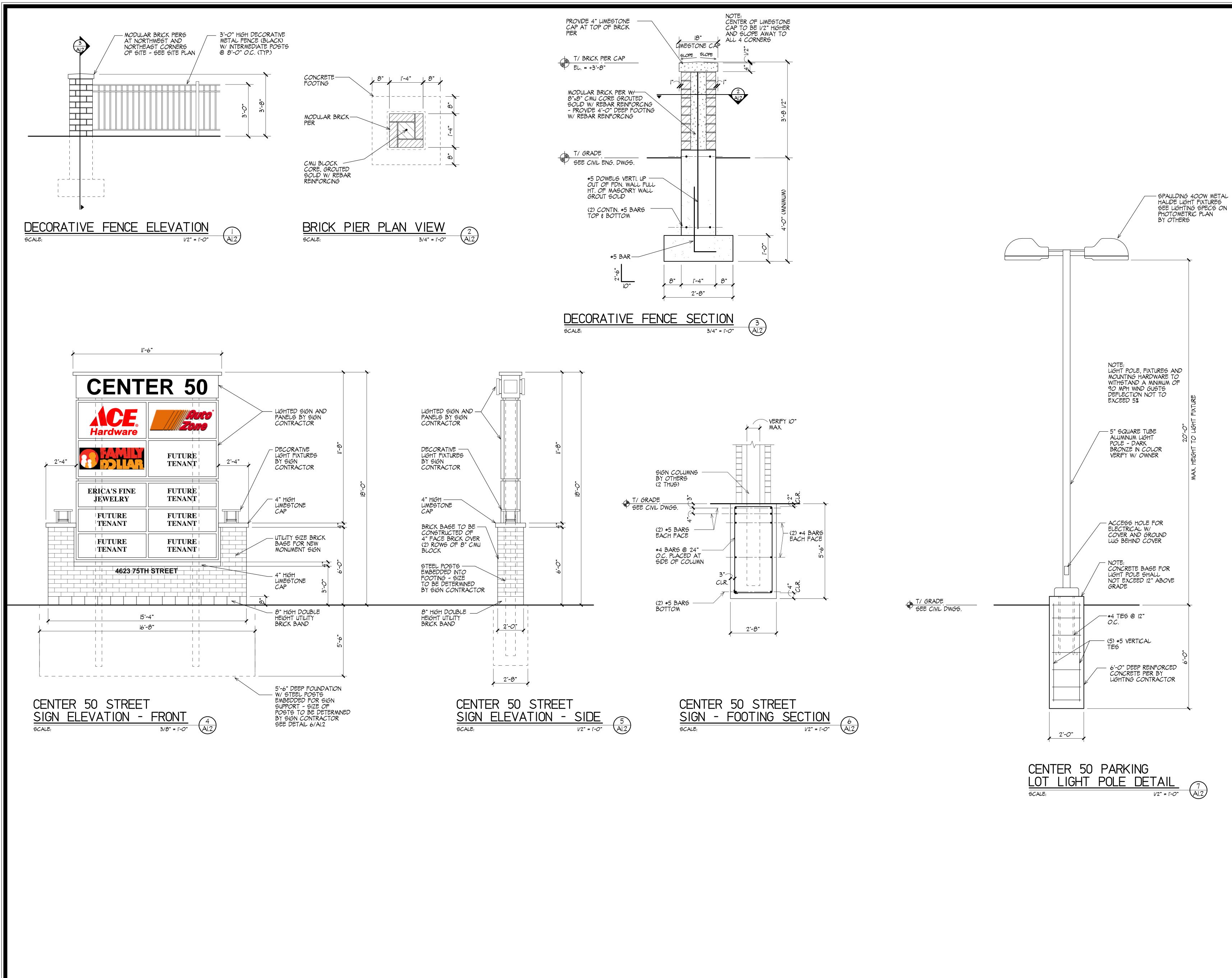
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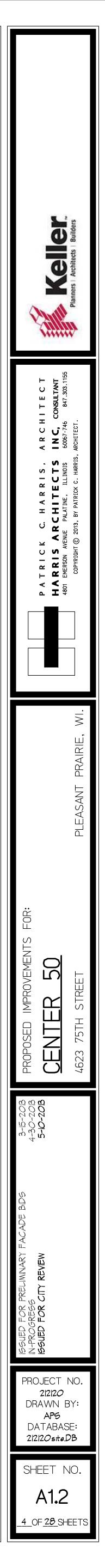
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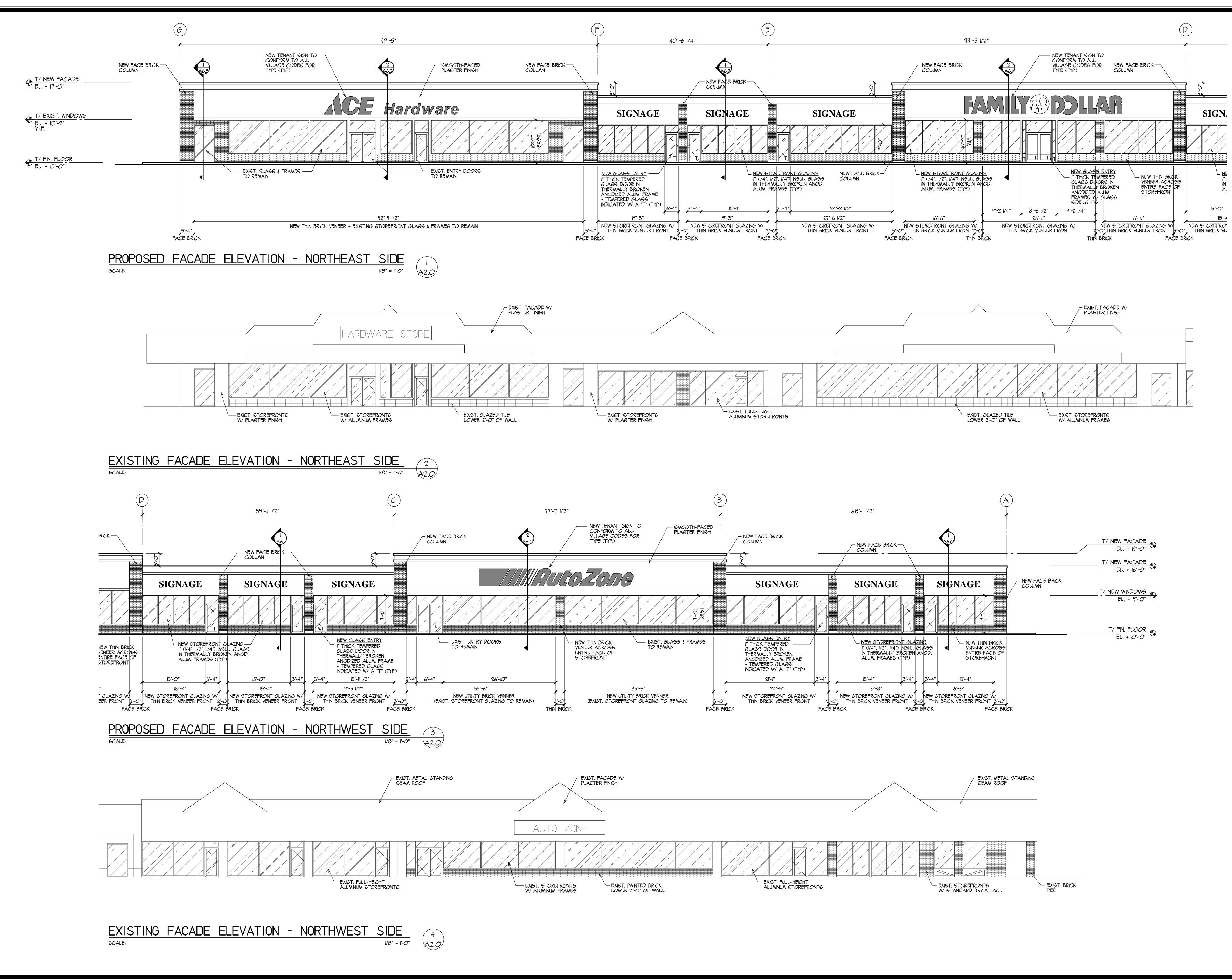


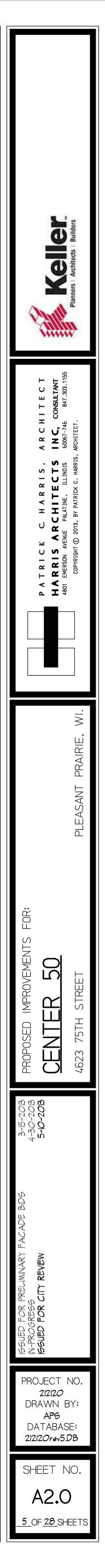


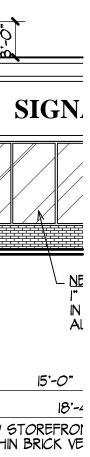


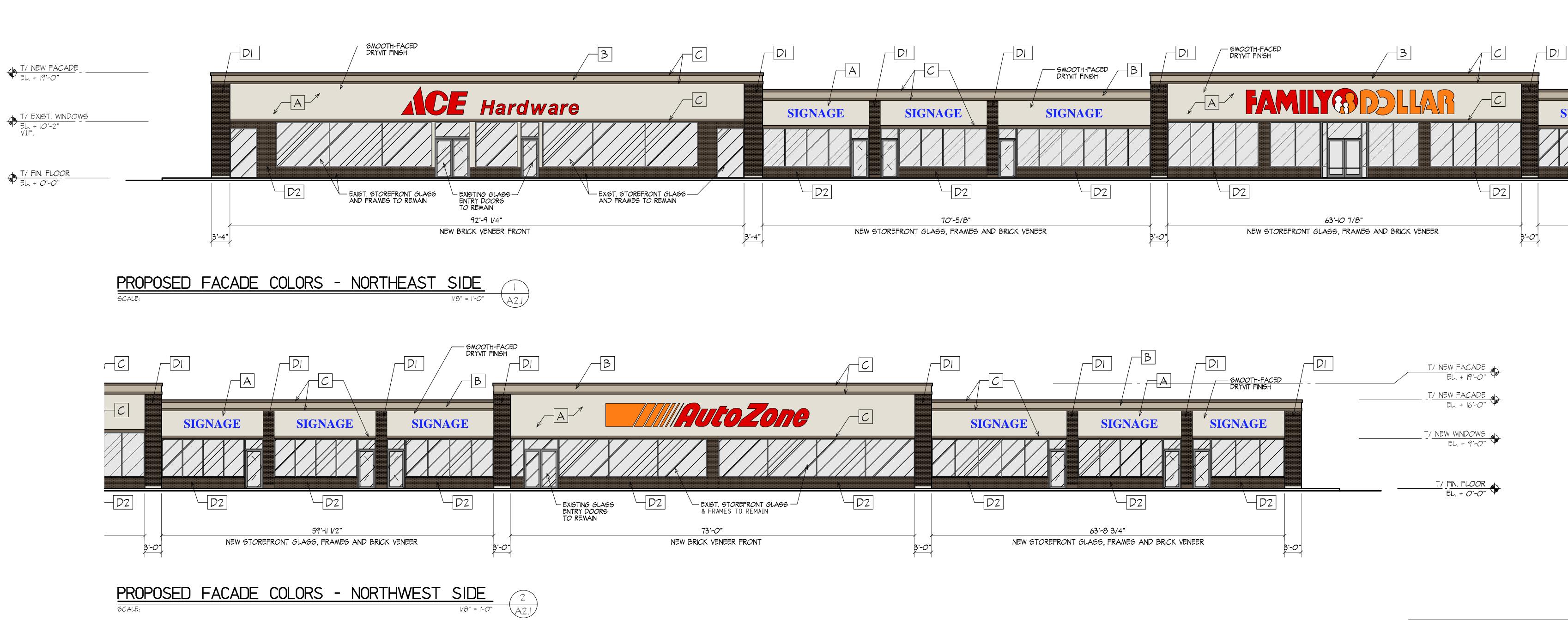












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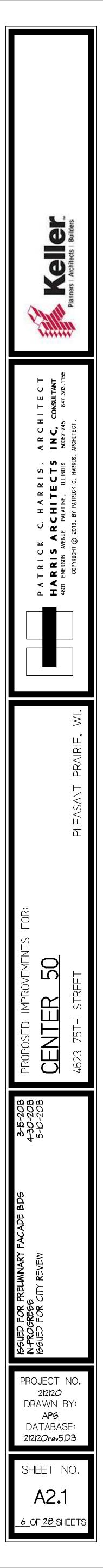
<u>AMPLE "A"</u> VILLIAMS SW 7036 DLE BEIGE

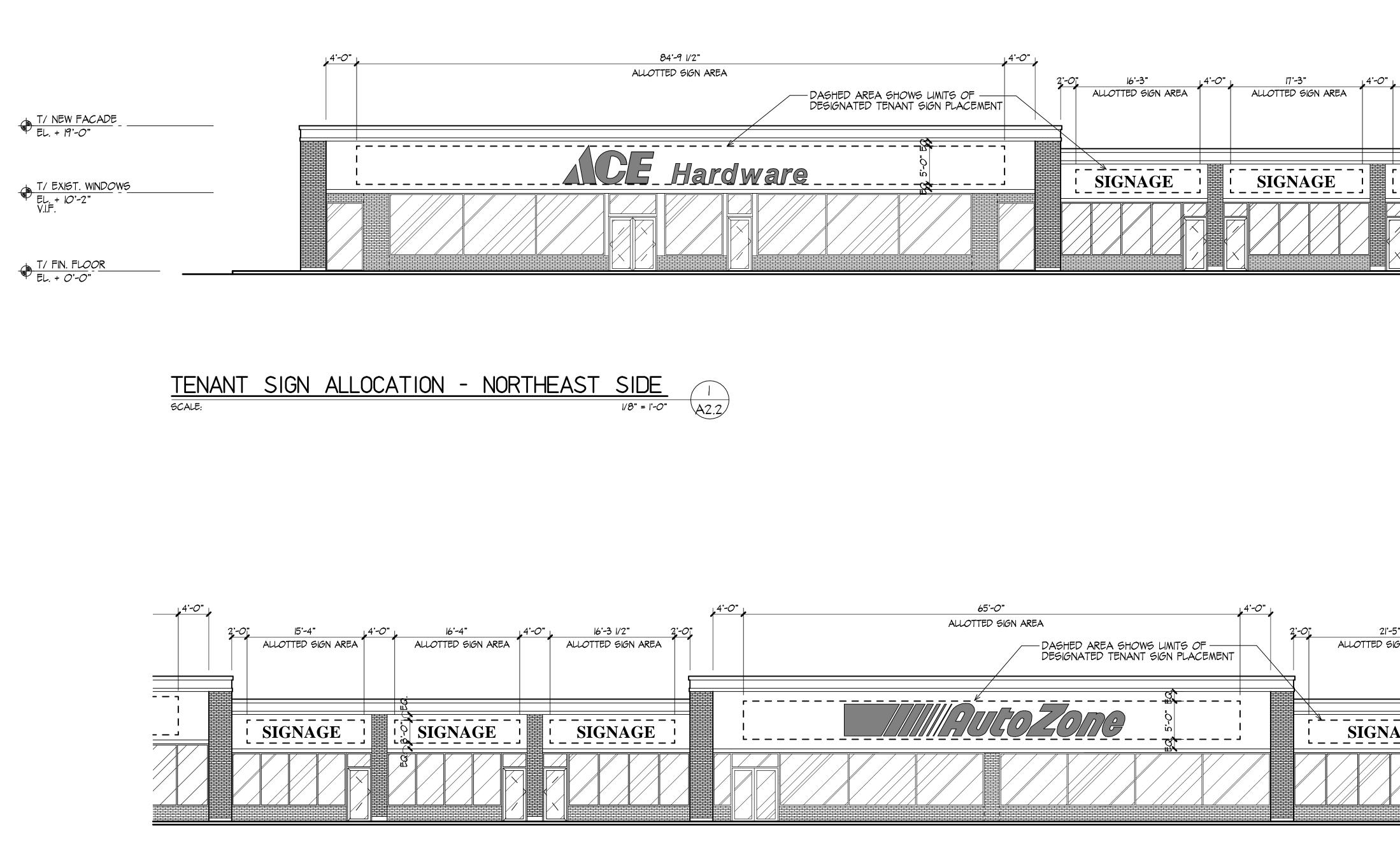
AMPLE <u>"B"</u> VILLIAMS SW 7038

<u>AMPLE "C"</u> NILLIAMS SW 7040

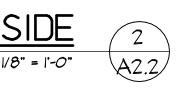
OR SAMPLE "DI" CLAY PRODUCTS DARK SANDSTONE VELOUR BRICK

OR SAMPLE "D2" CLAY PRODUCTS DARK SANDSTONE - VELOUR CK VENEER





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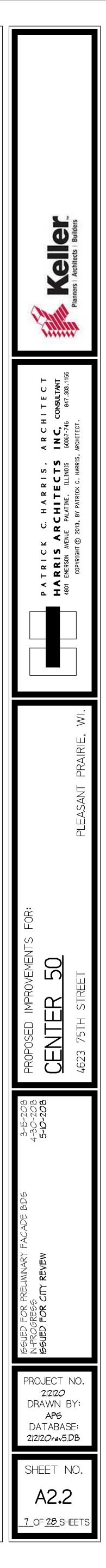


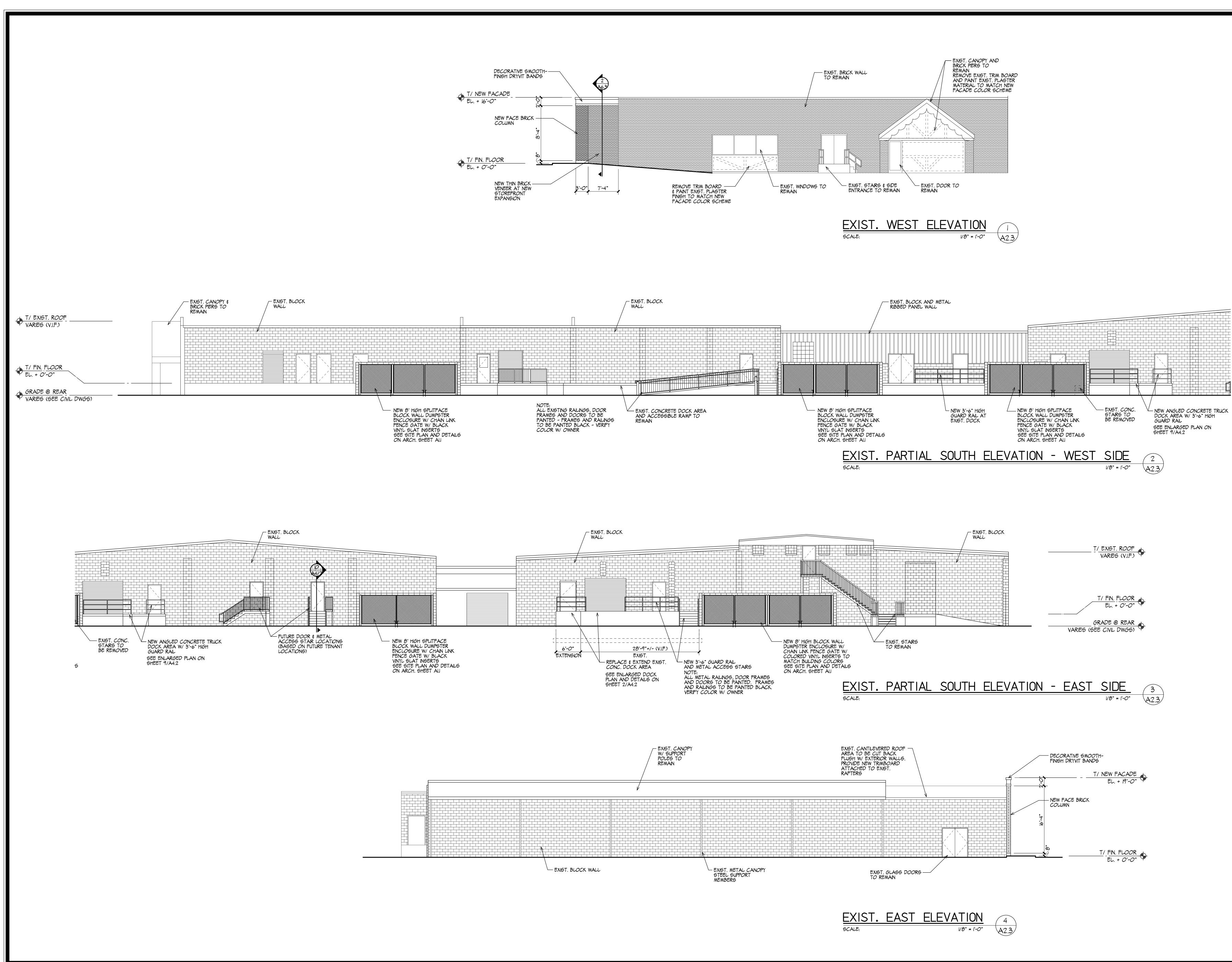
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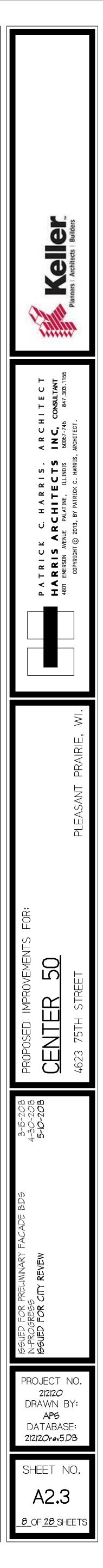
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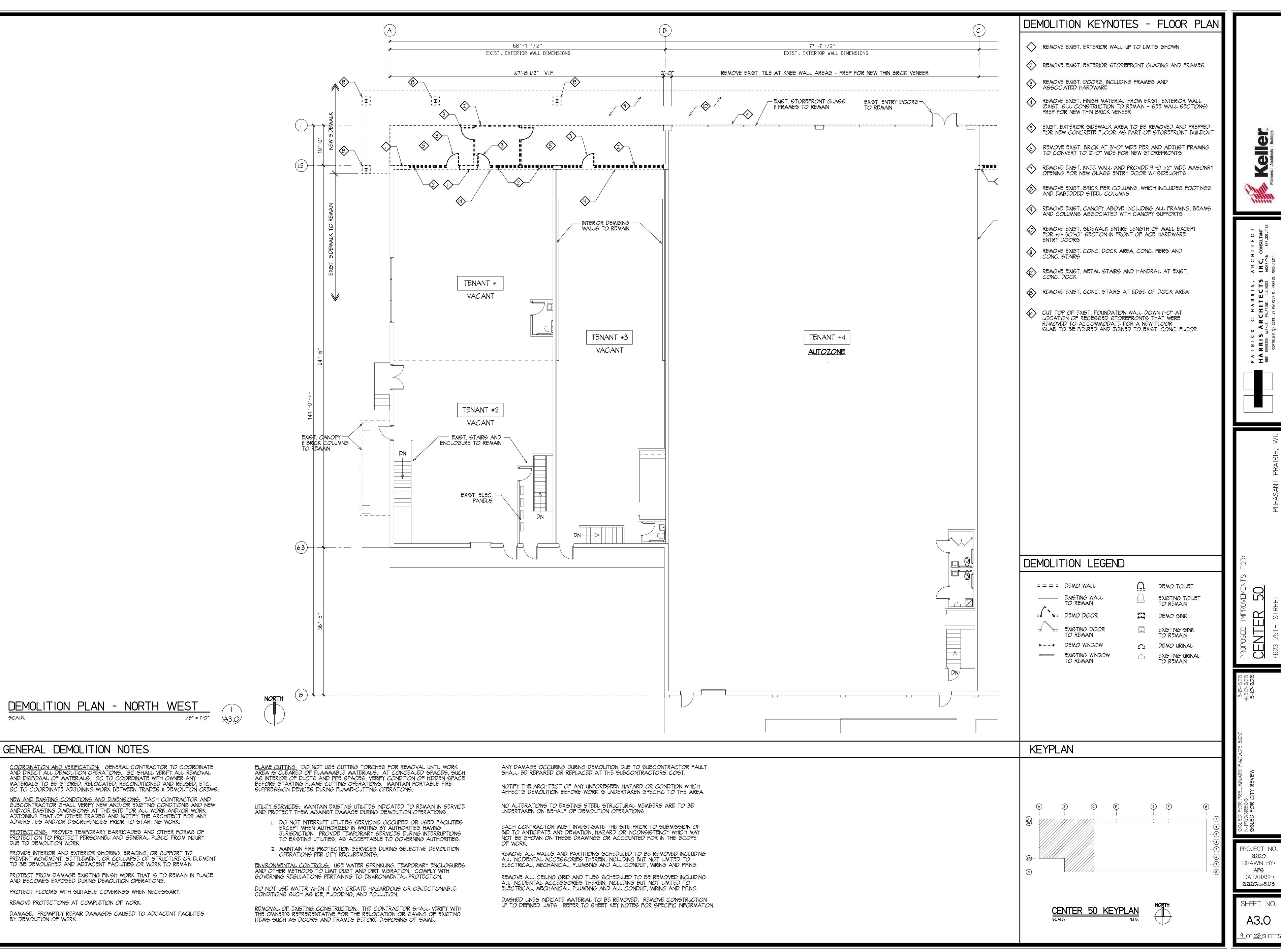


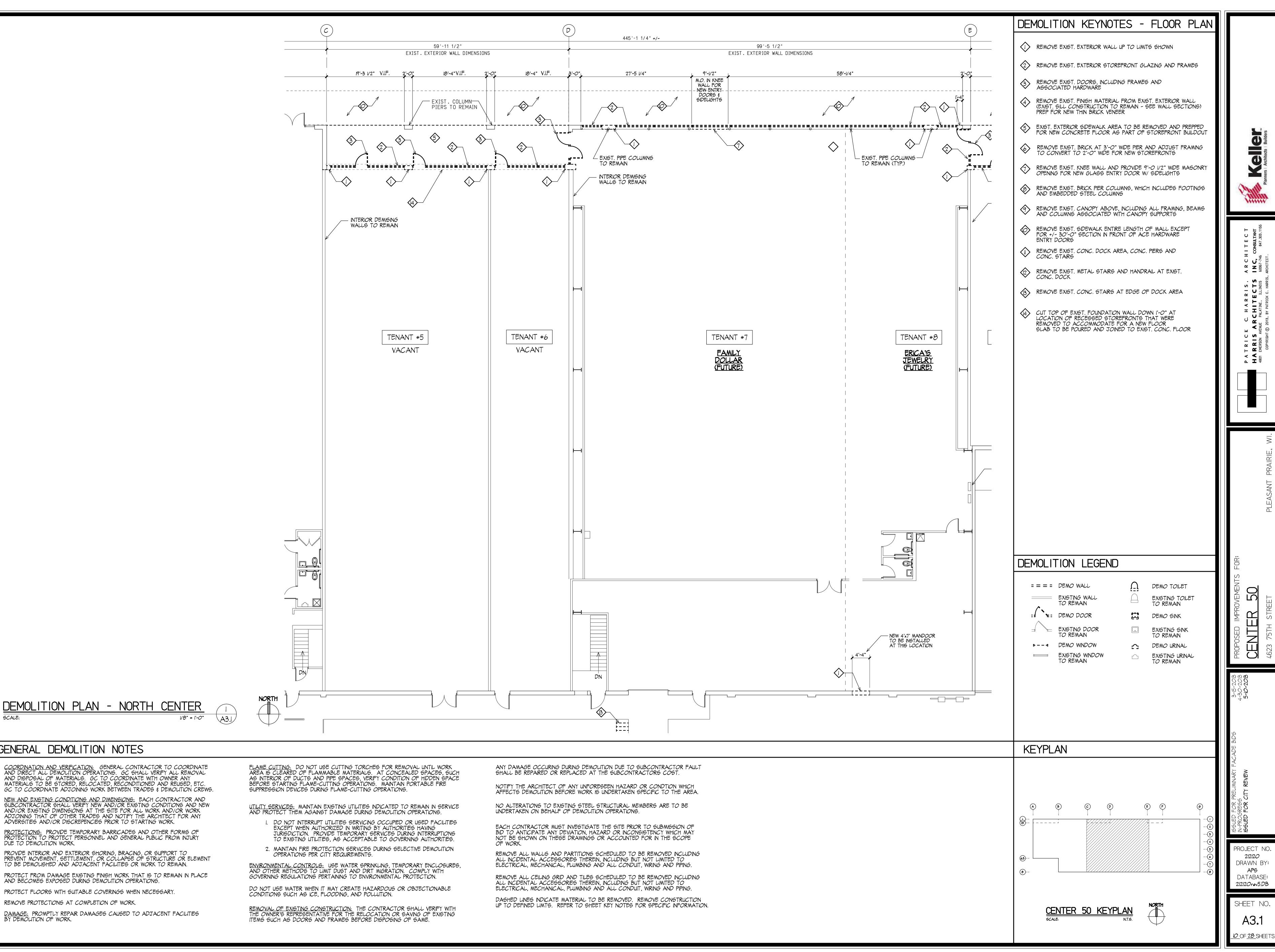




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GENERAL DEMOLITION NOTES

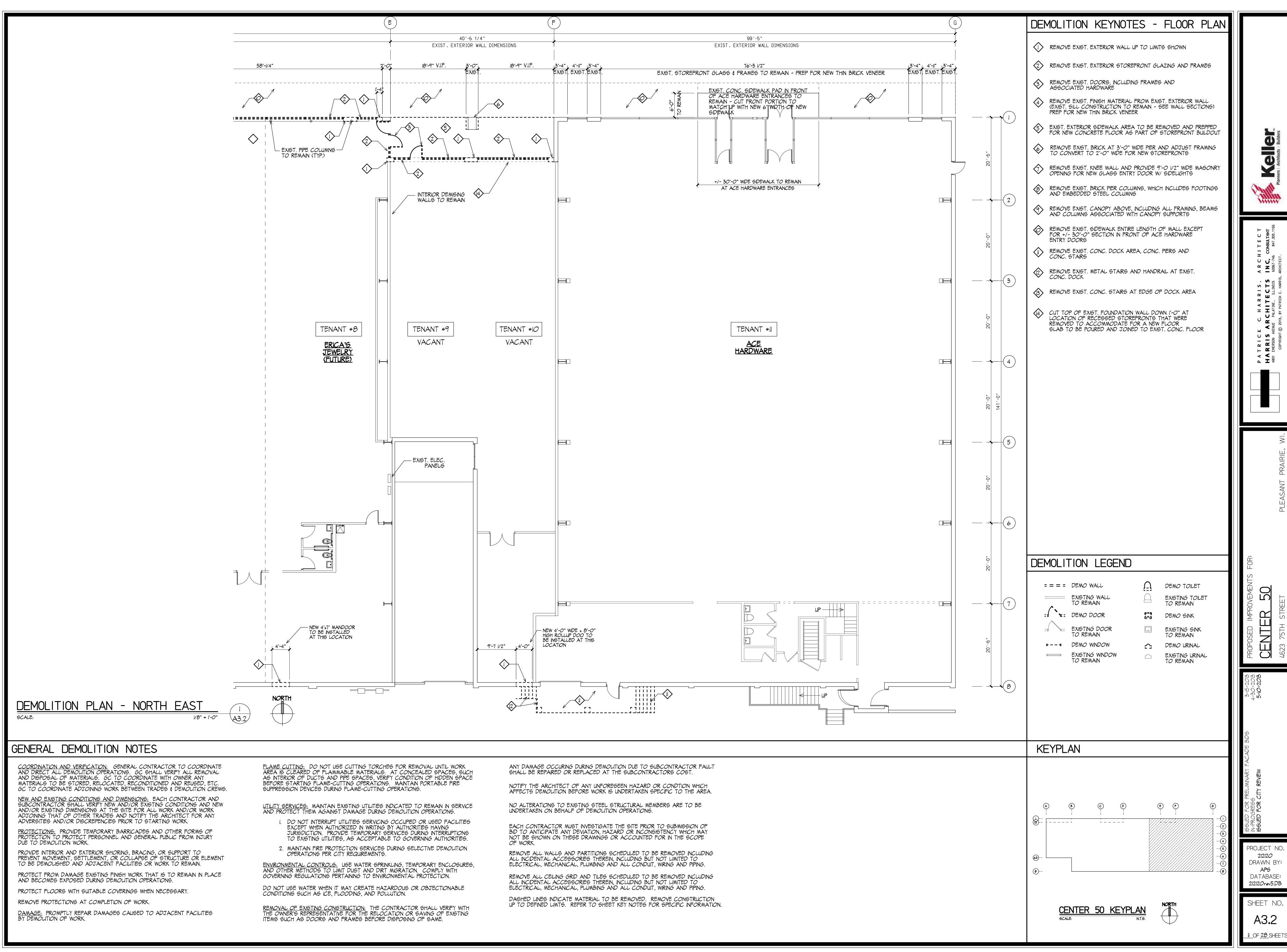
GC TO COORDINATE ADJOINING WORK BETWEEN TRADES & DEMOLITION CREWS

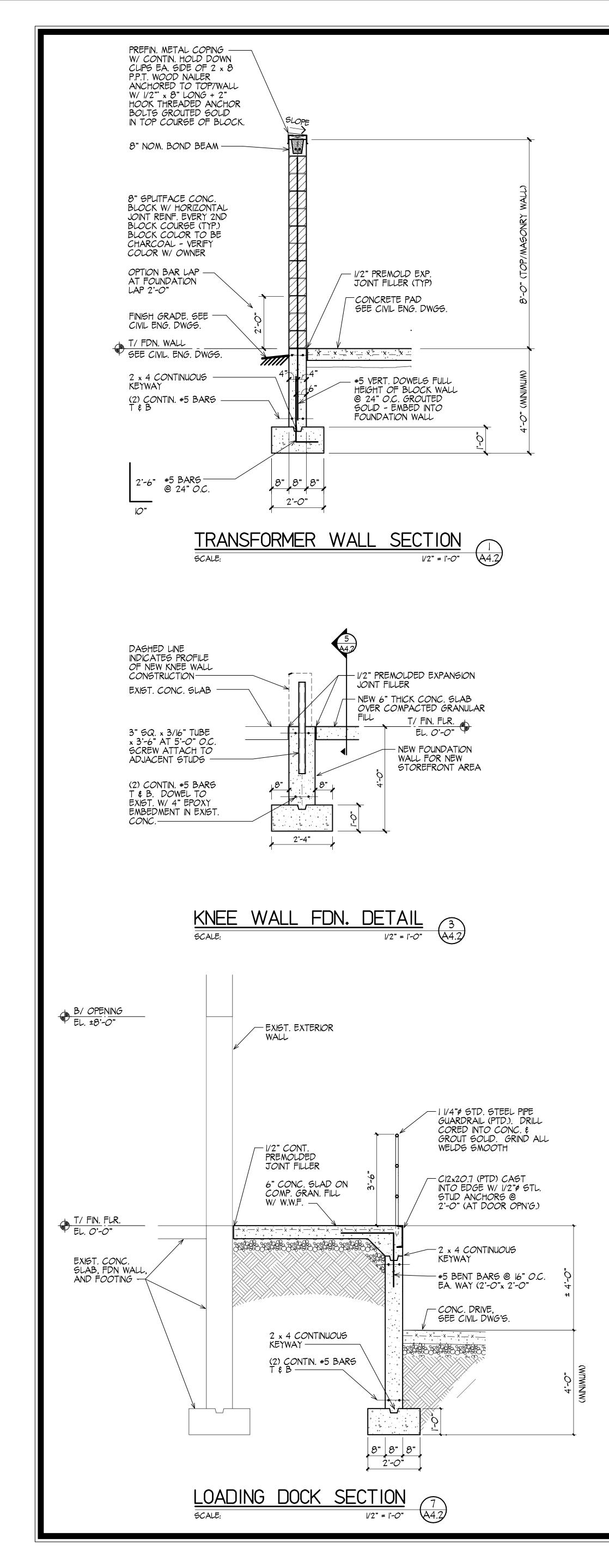
AND/OR EXISTING DIMENSIONS AT THE SITE FOR ALL WORK AND/OR WORK ADJOINING THAT OF OTHER TRADES AND NOTIFY THE ARCHITECT FOR ANY ADVERSITIES AND/OR DISCREPENCIES PRIOR TO STARTING WORK.

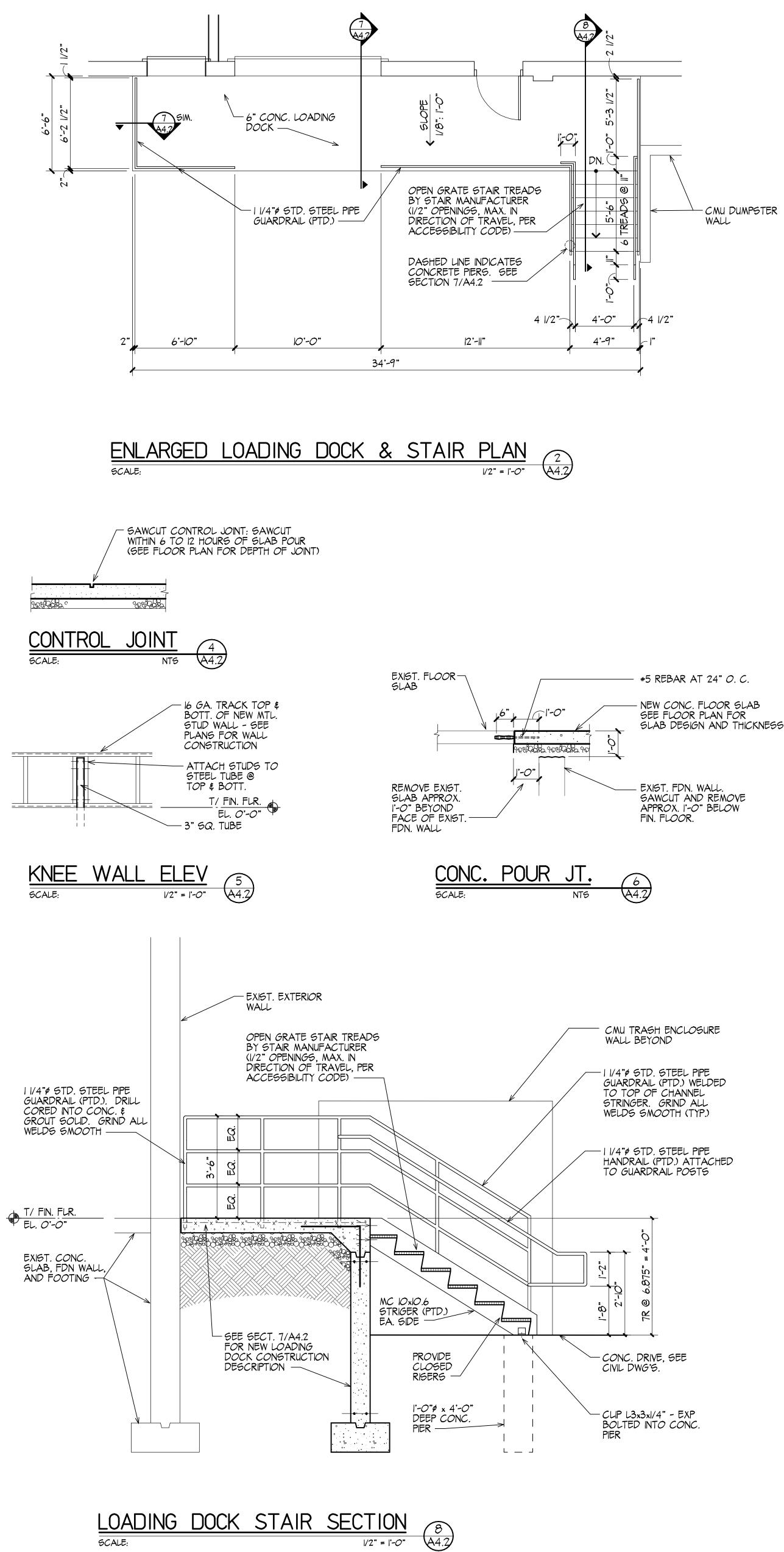
DUE TO DEMOLITION WORK.

TO BE DEMOLISHED AND ADJACENT FACILITIES OR WORK TO REMAIN.

AND BECOMES EXPOSED DURING DEMOLITION OPERATIONS.



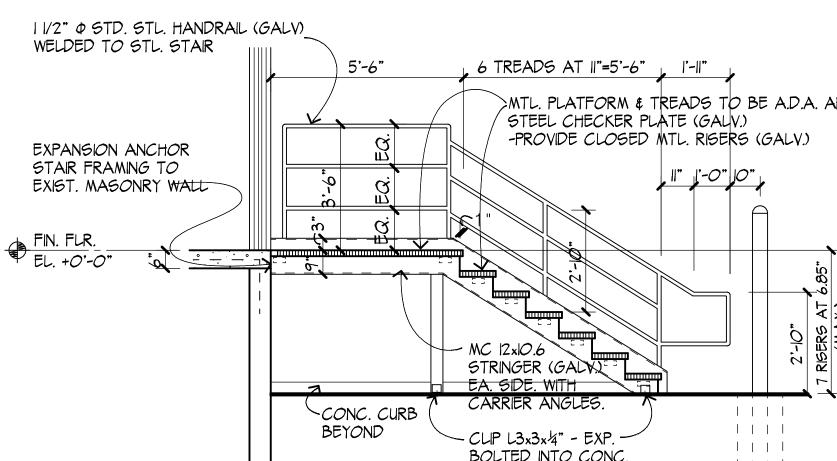




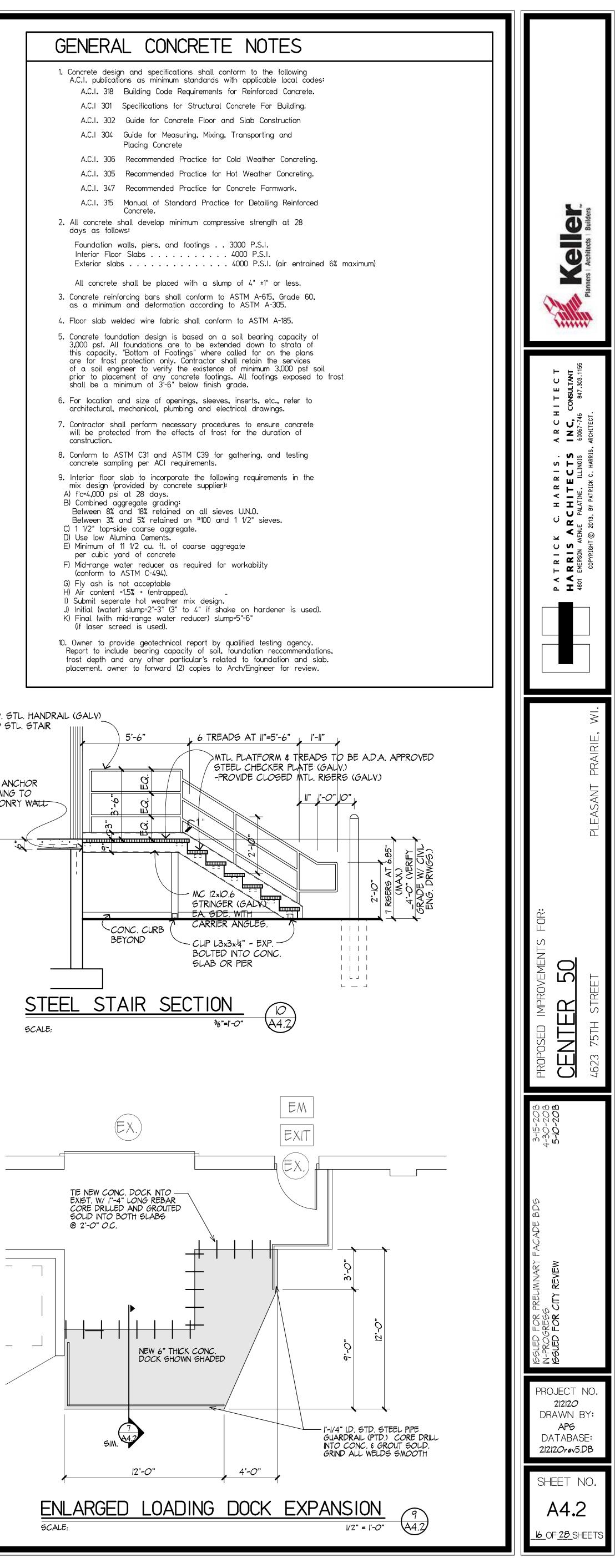
| | GENERAL CONCRETE NOTES |
|----------|--|
| | 1. Concrete design and specifications shall conform to the following A.C.I. publications as minimum standards with applicable local codes: A.C.I. 318 Building Code Requirements for Reinforced Concrete. A.C.I 301 Specifications for Structural Concrete For Building. |
| | A.C.I. 302 Guide for Concrete Floor and Slab Construction |
| | A.C.I 304 Guide for Measuring, Mixing, Transporting and Placing Concrete |
| | A.C.I. 306 Recommended Practice for Cold Weather Concreting. |
| | A.C.I. 305 Recommended Practice for Hot Weather Concreting. |
| | A.C.I. 347 Recommended Practice for Concrete Formwork. |
| | A.C.I. 315 Manual of Standard Practice for Detailing Reinforced Concrete. |
| | 2. All concrete shall develop minimum compressive strength at 28 days as follows: |
| | Foundation walls, piers, and footings 3000 P.S.I. Interior Floor Slabs 4000 P.S.I. Exterior slabs 4000 P.S.I. (air entrained 6% maximum) |
| | All concrete shall be placed with a slump of 4" \pm 1" or less. |
| | 3. Concrete reinforcing bars shall conform to ASTM A-615, Grade 60, as a minimum and deformation according to ASTM A-305. |
| DUMPSTER | 4. Floor slab welded wire fabric shall conform to ASTM A-185. |
| | 5. Concrete foundation design is based on a soil bearing capacity of 3,000 psf. All foundations are to be extended down to strata of this capacity. "Bottom of Footings" where called for on the plans are for frost protection only. Contractor shall retain the services of a soil engineer to verify the existence of minimum 3,000 psf soil prior to placement of any concrete footings. All footings exposed to frost shall be a minimum of 3'-6" below finish grade. |
| | 6. For location and size of openings, sleeves, inserts, etc., refer to architectural, mechanical, plumbing and electrical drawings. |
| | 7. Contractor shall perform necessary procedures to ensure concrete will be protected from the effects of frost for the duration of construction. |
| | 8. Conform to ASTM C31 and ASTM C39 for gathering, and testing concrete sampling per ACI requirements. |
| | 9. Interior floor slab to incorporate the following requirements in the mix design (provided by concrete supplier): A) f'c=4,000 psi at 28 days. B) Combined aggregate grading: Between 8% and 18% retained on all sieves U.N.O. Between 3% and 5% retained on #100 and 1 1/2" sieves. |

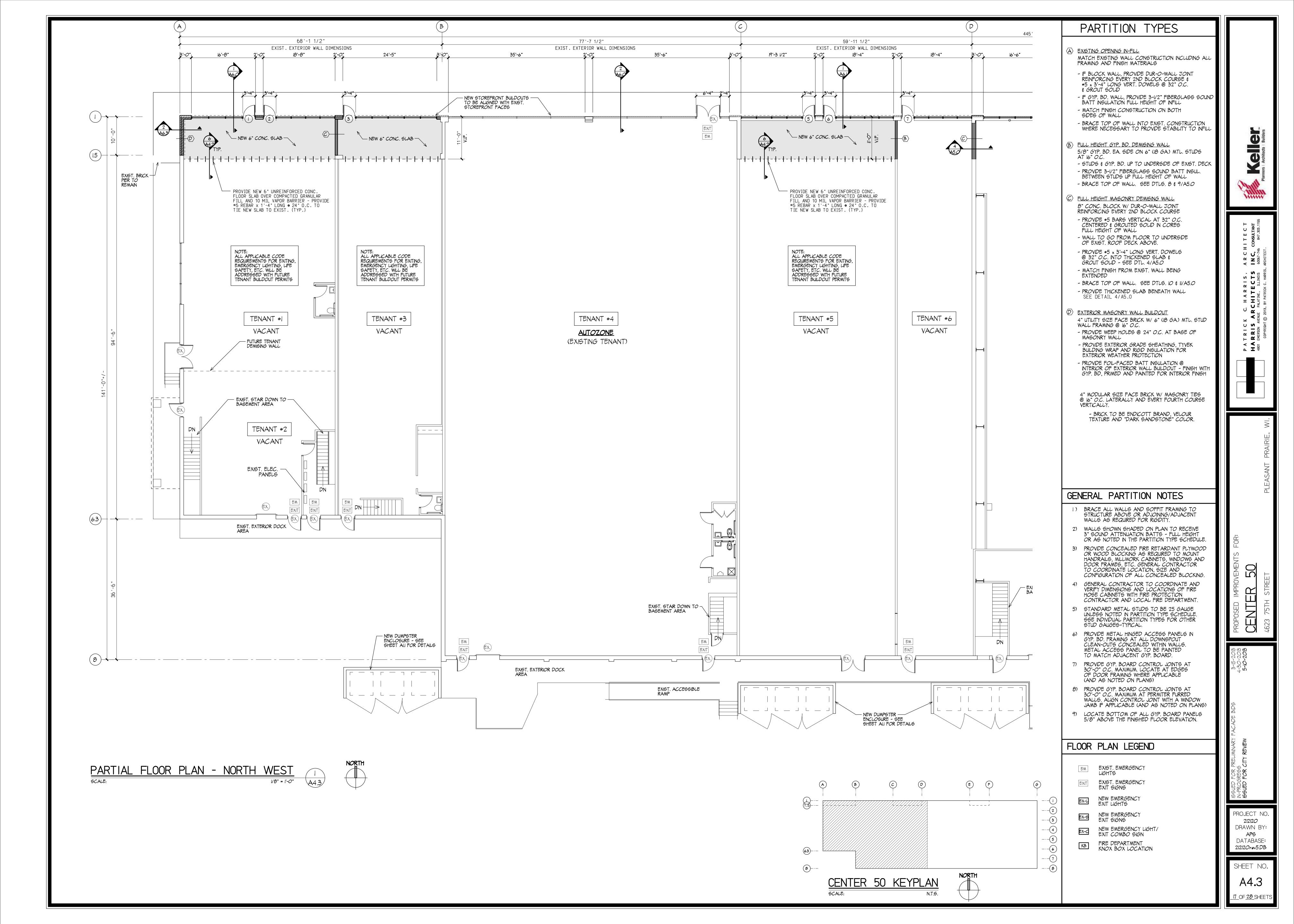
- (conform to ASTM C-494).

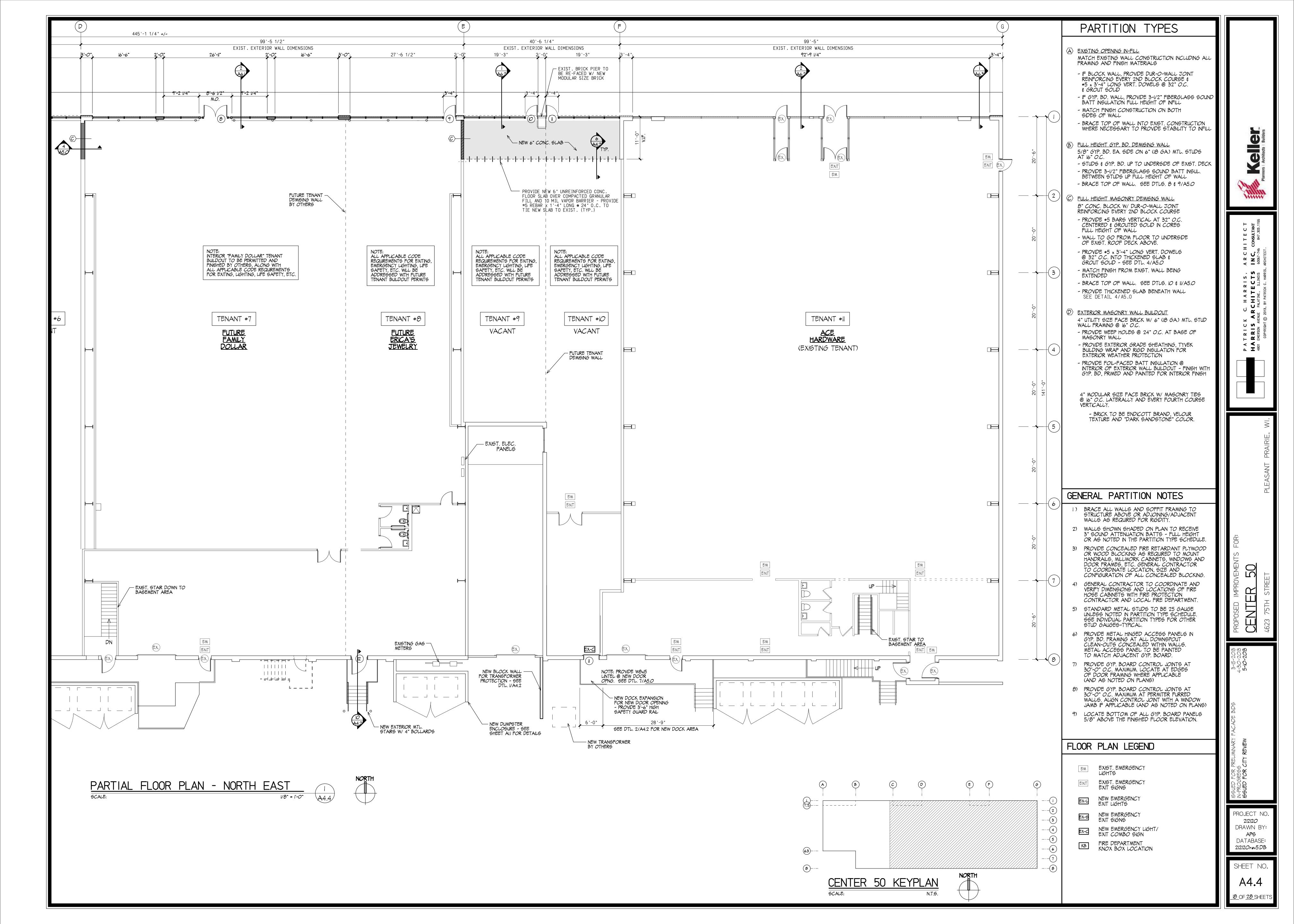
frost depth and any other particular's related to foundation and slab. placement. owner to forward (2) copies to Arch/Engineer for review.

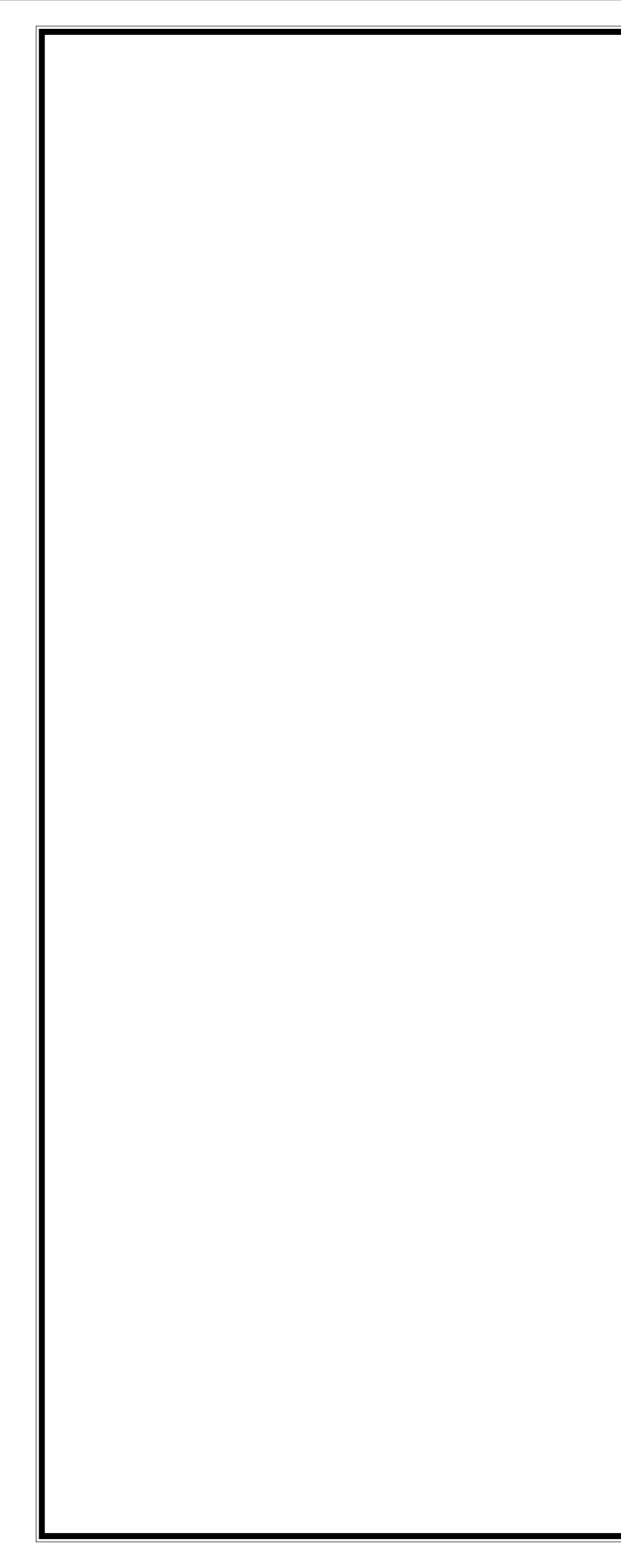


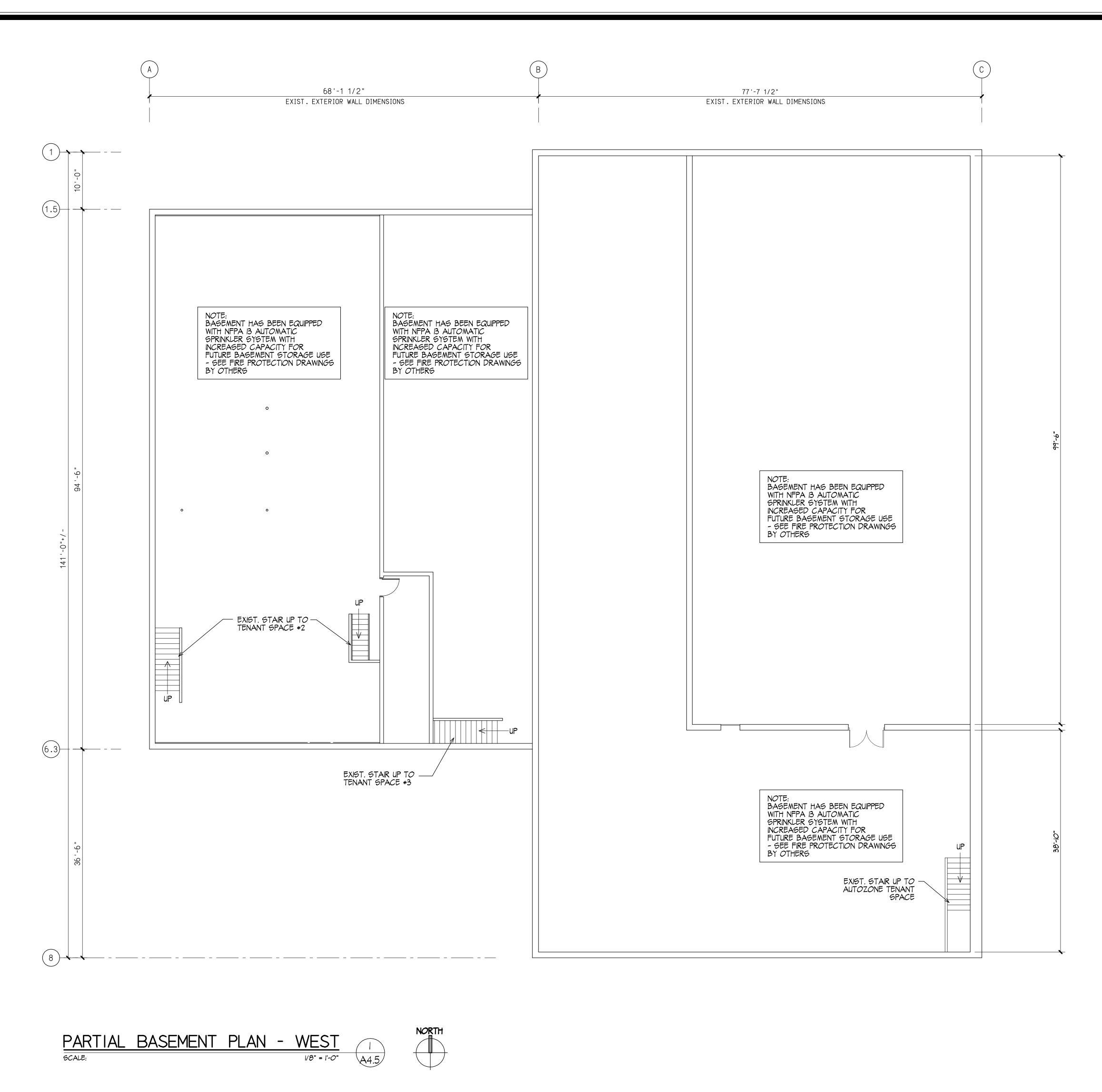


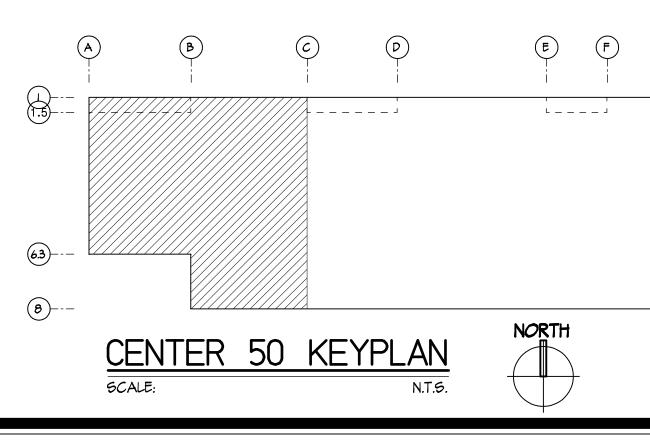


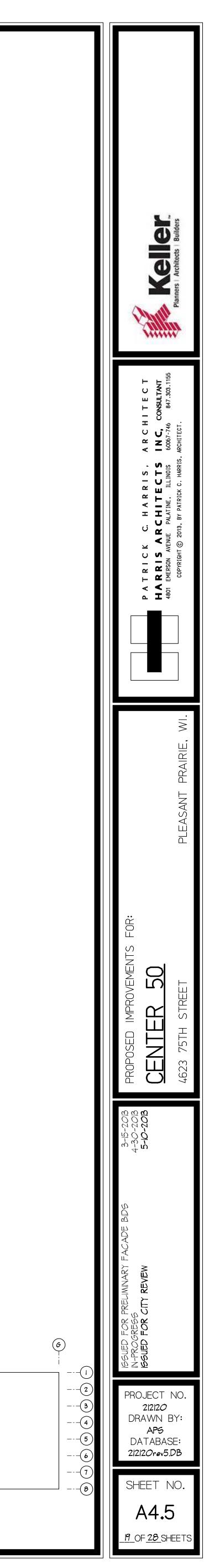


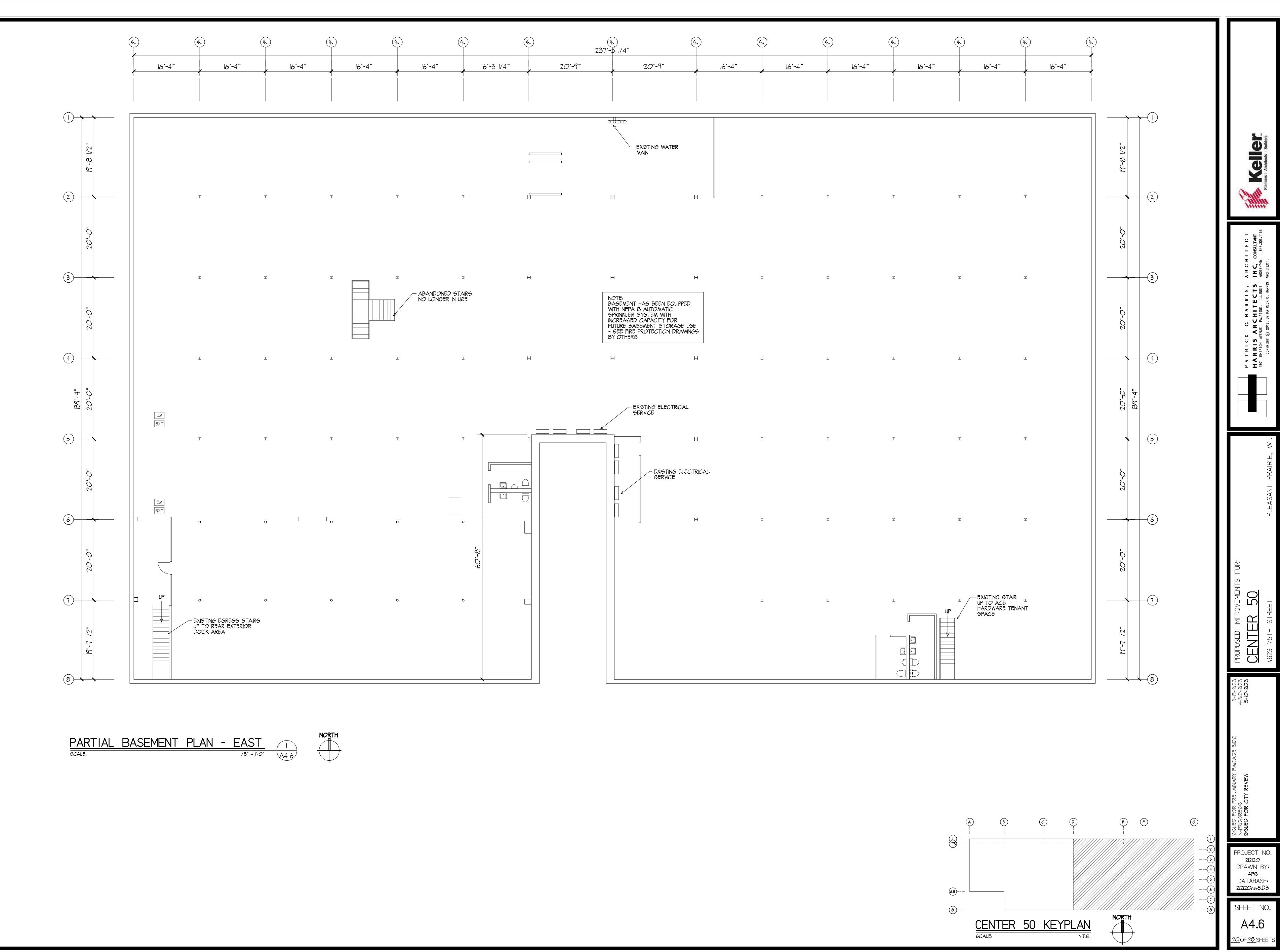




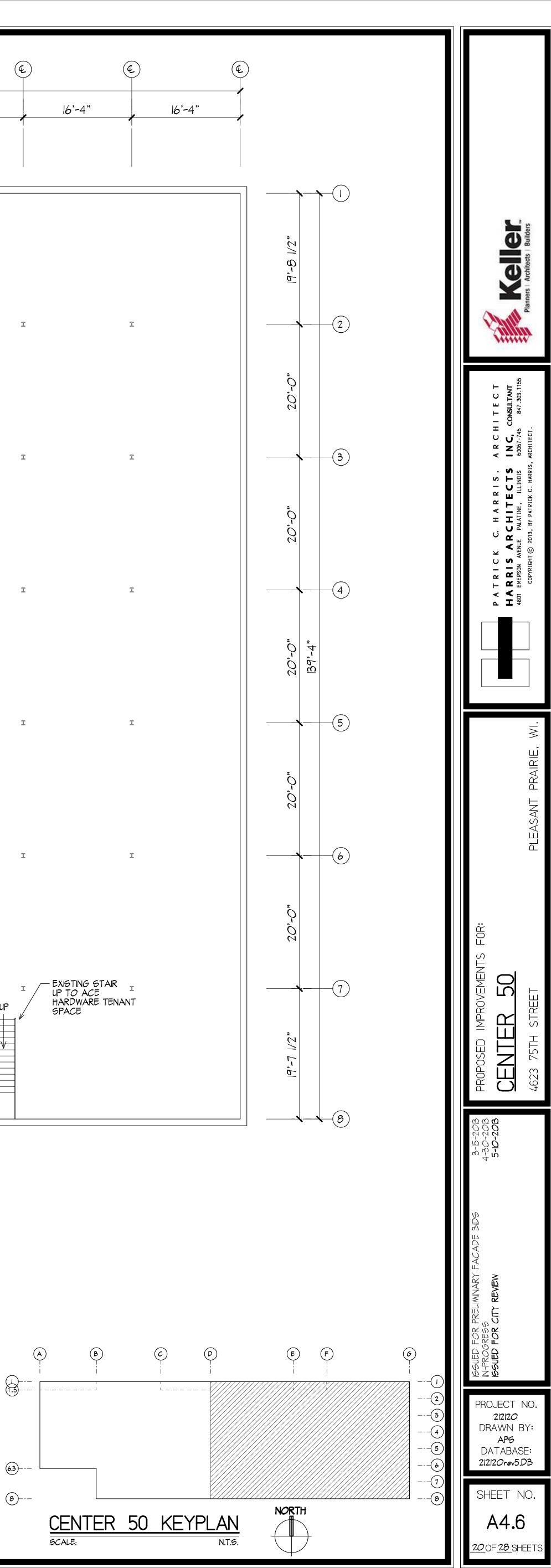


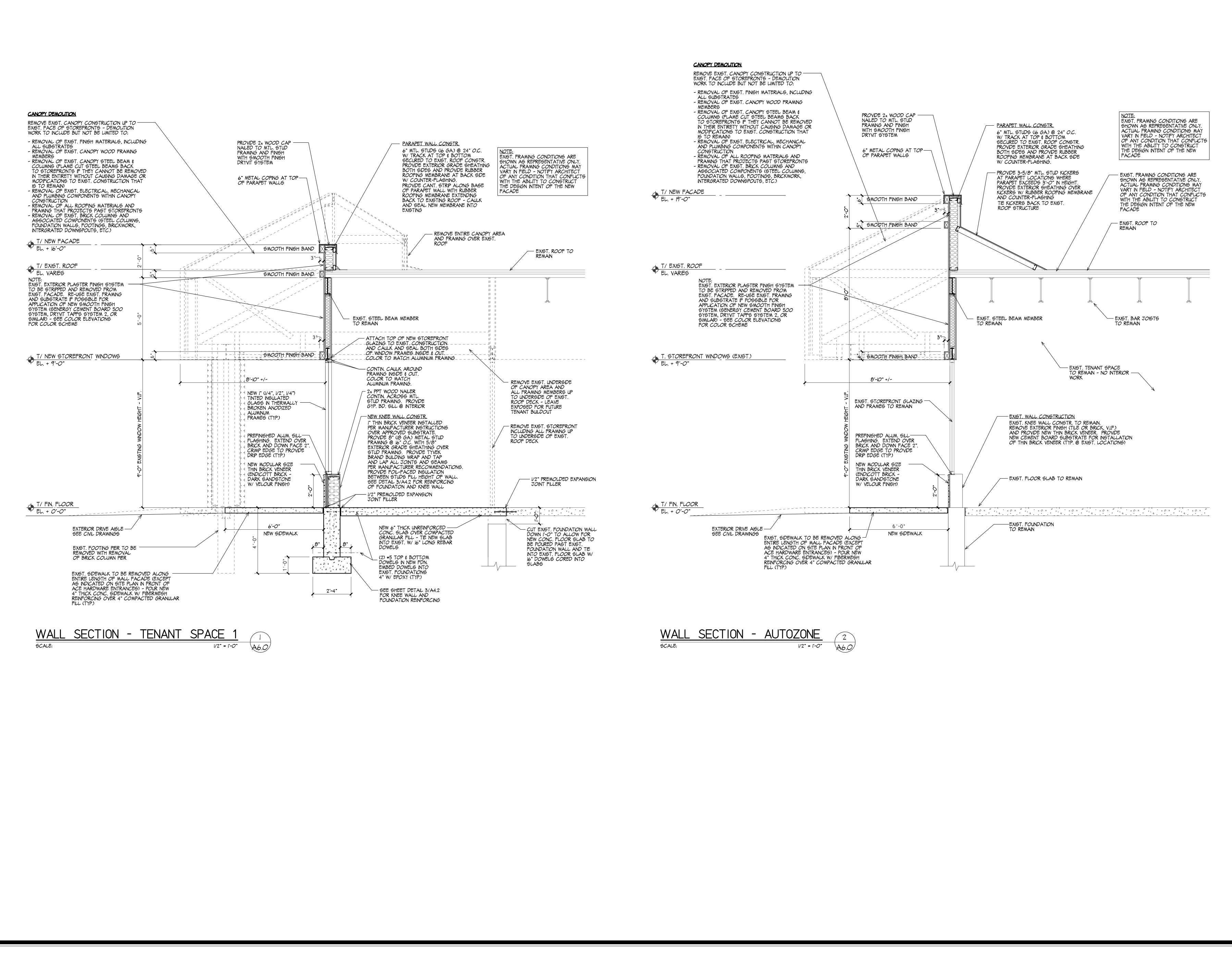


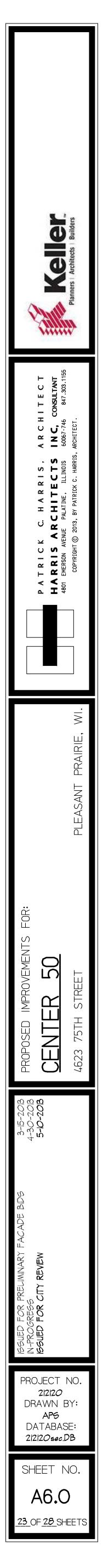


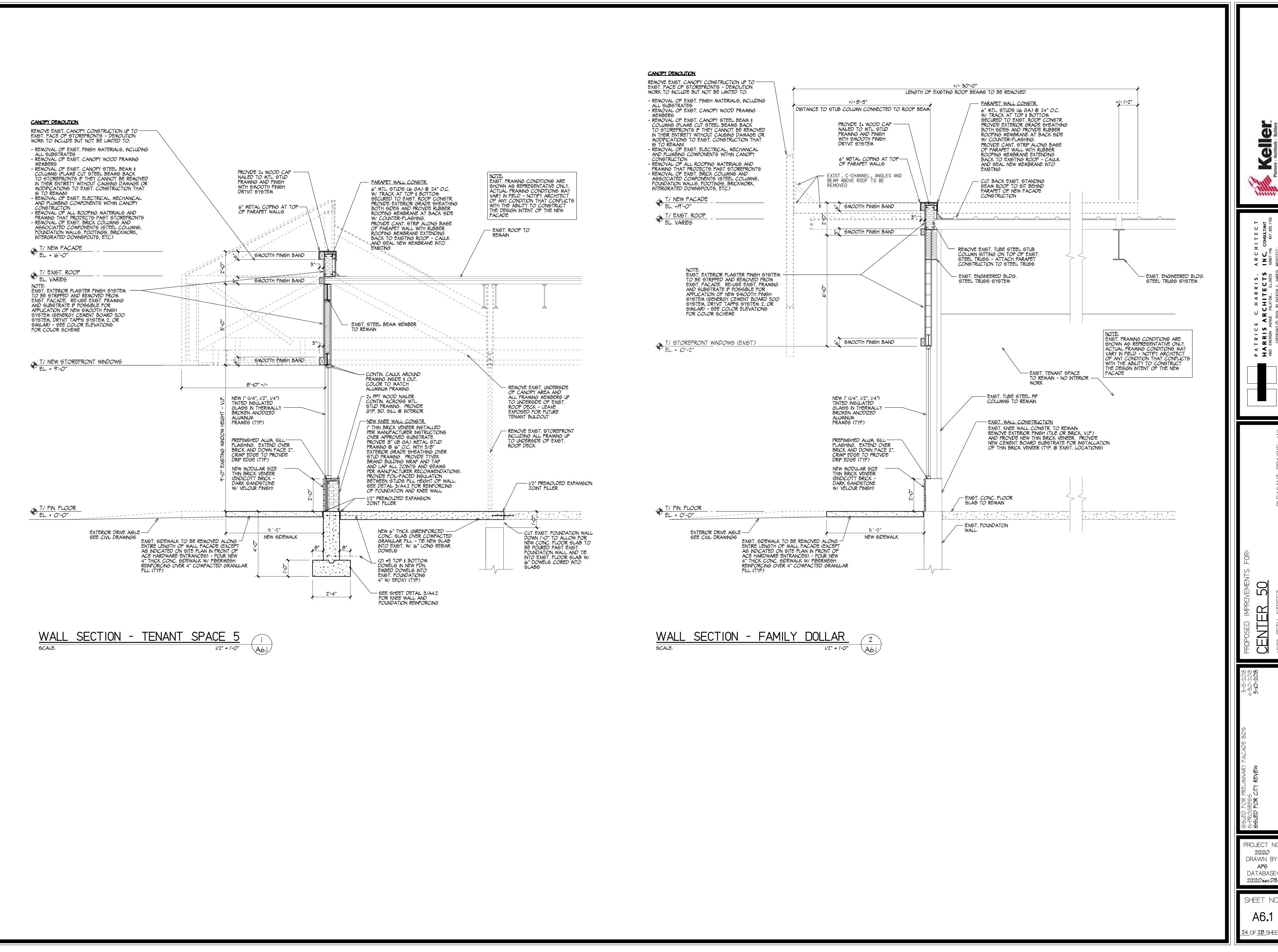


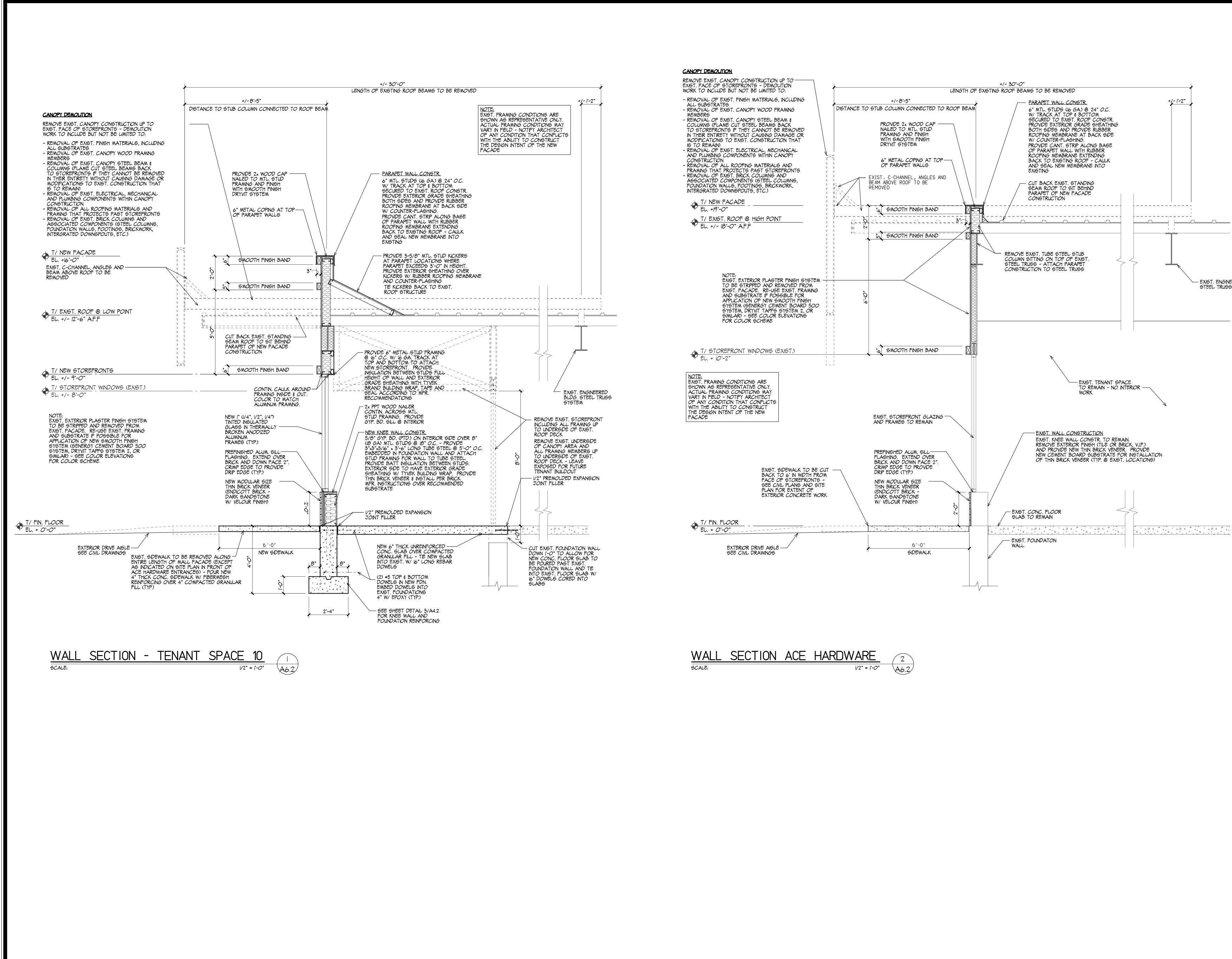


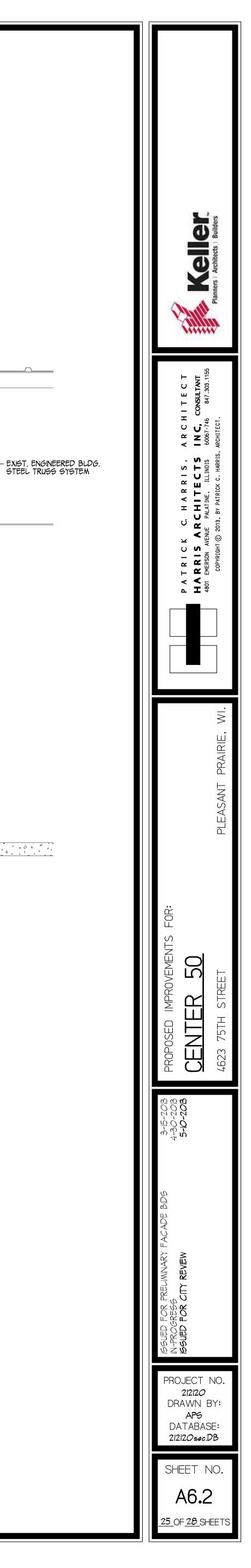


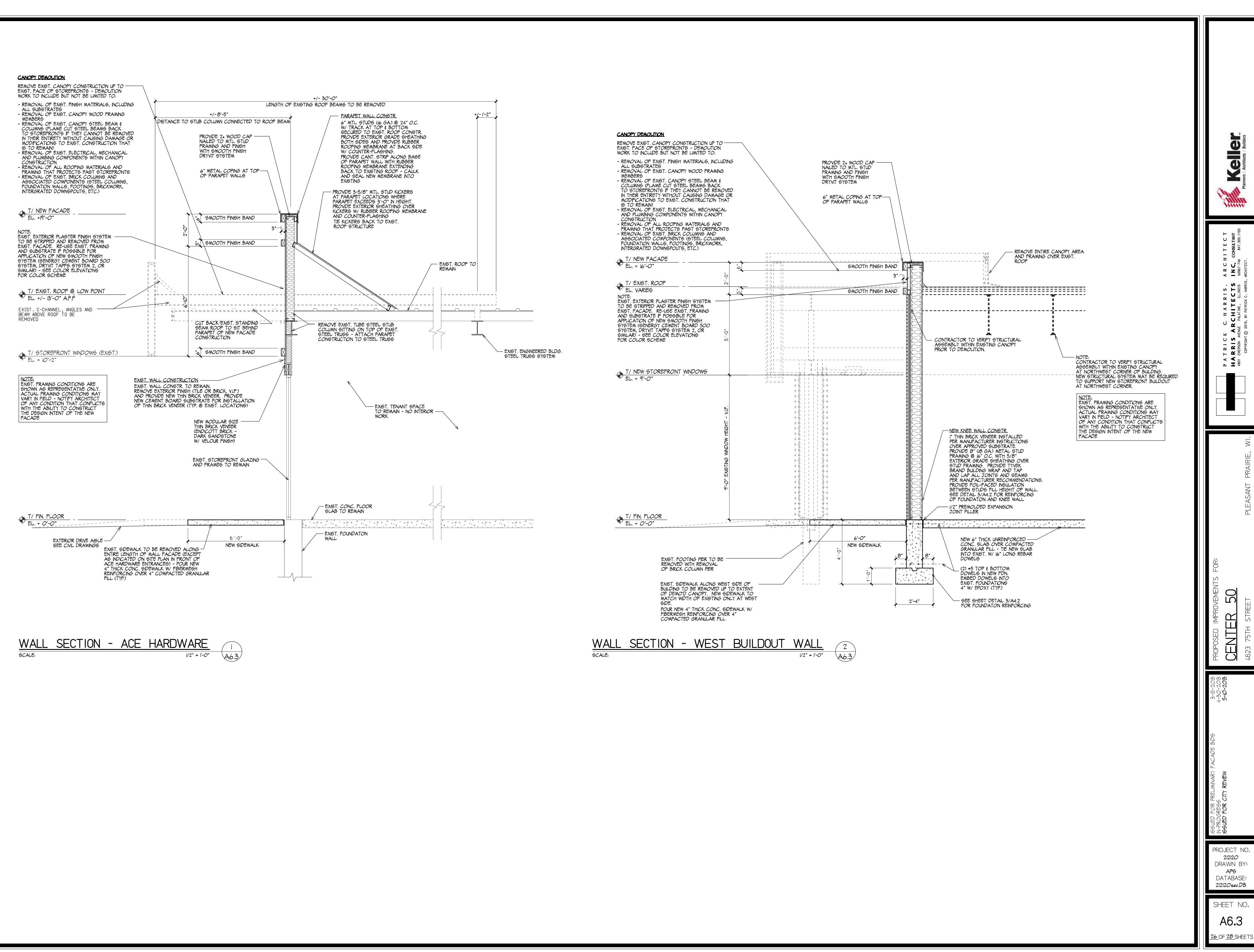














June 6, 2013

Jean Werbie-Harris Community Development 9915 39th Avenue Pleasant Prairie, WI. 53158

Re: Center 50 Pleasant Prairie, WI Elevation concept revision narrative

Dear Ms. Werbie-Harris

This narrative is to explain the decision to revise part of our design concept on the elevations for Center 50.

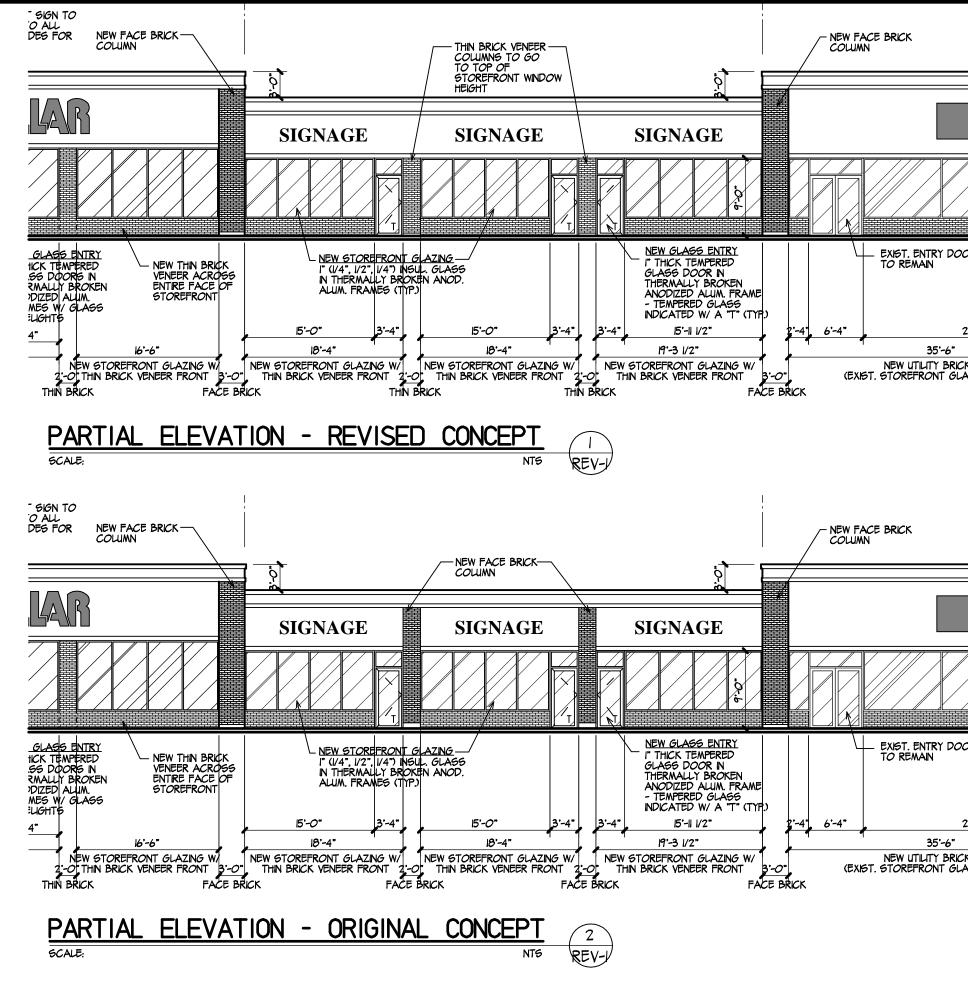
The façade between the 3 anchor tenants and also to the west of Autozone, needs to be modified to remove a portion of the brick piers that break up the sign bands. The tenant spaces between the 3 tenants have yet to be leased, and we do not know how large a space a given tenant will want to occupy. Establishing brick piers that break up the sign band where the tenant signs would go is imprudent and needs to be modified. We plan to shorten and reduce 6 of the brick piers in the façade.

Attached is an 11"x17" exhibit drawing showing the original concept as well as the revised concept between the anchor tenants.

Please contact me or Jim Ablan if there are any questions or if more information is needed regarding this submittal.

Sincerely,

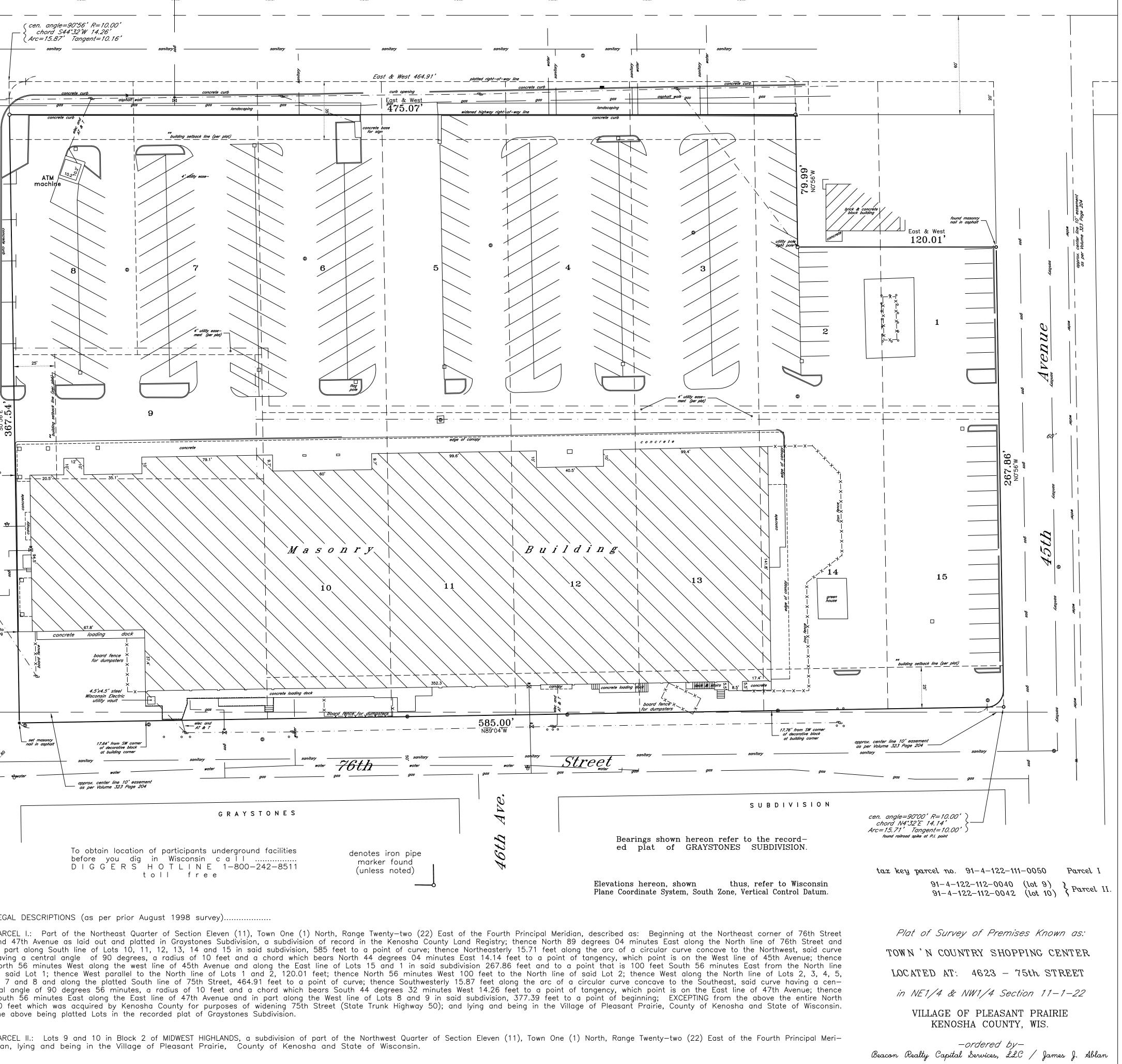
Andy Swedrowski Harris Architects, Inc. 4801 Emerson Ave, Suite 210 Palatine, Illinois 60067 847-303-1155 ph. 847-303-1164 fax



| DOOR | PATRICK C.HARRIS, ARCHITECT HARRIS ARCHITECTS INC, CONSULTWI 4601 EVERSON ANELLE PALATIDE. ILLINDIS 60057746 847.303.1165 COPRIGHT © 2013. BY PAIRICK C. HARRIS, ANCHITECT. |
|--------------------------------|--|
| <u>26'-</u> RICK V SLAZI | PATRICK C. HAI HARRISARCHI 4001 EKENNANUE PLATDR COPRIGHT © 2013. BY PA |
| | |
| | ELEVATIONS OPTION FOR CENTER 50 HIGHMAY 50 & 47TH AVE. PLEASANT PRARE, WISCONSN |
| ICOR: | 6-6-20 B |
| <u> 26'-</u> | elevation revision |
| RICK V SLAZI | PROJECT *: 212120 DRAWN BY: AP5 DATABASE: 212120rev5.DB |
| | SHEET NO. REV-1 _lof_lsheets |

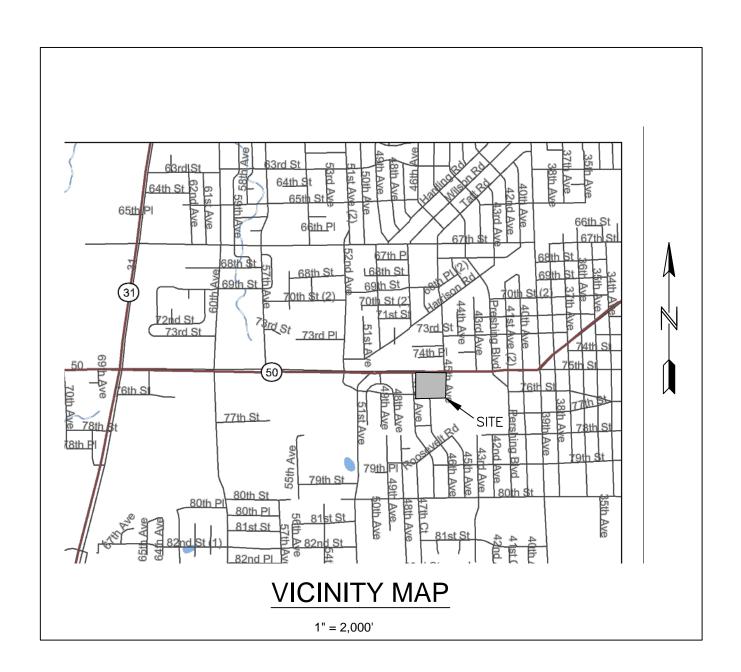
| | NOTE Building height at NE building corner = 13.8' Building height at NW | N 1/4 Corner SECTION 11-1-22 N. 213,730,39 E. 2,575,057,73 (concrete monument) | water — |
|---|--|--|--|
| $ \begin{array}{c} \text{Scale}\\ \text{I}'' = 30' \end{array} $ | building corner = 16.8' BUILDING HEIGHTS VARY FROM EAST END TO WEST END | | |
| REPORT | | T — — — — — — — — — — — — — — — — — — — | |
| ** May be superceded by local ordinance | 7 | 8 | 33' 33' |
| 5.28± Acres within heavy outline. | no iron found or set" lone chain-link fence post is 0.05' north & 0.18' east of property corner × × × × × × × × × × × × × | 'no iron found or set" found iron pipe marker at 0.11' north & 0.17' east of property corner \$\$ \$89*05'E \$\$ 140.00' × \$\$ board feace × | vote sonitory |
| 4' utility eas ment (per p 1 | 5 of a | ^{**} building setbock line (per plut)_ | 4Venue |
| SYMBOLS | 11400 Night pole Night pole | strituini | apan |
| o 6 [°] steel post | 14 | 10 | S0'56'E |
| gus rinker gus rinker urb inlet sanitary manhole storm manhole | The iron found or set centerline chain-link fence for fence south & esti- 0.2' south & 1.15' essi | orner is | X X X X X X X X X X X X X X X X X X X |
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| | MIDWEST SUB | HIGHLANDS DIVISION | 2 2 2 3 3 3 3 5 5 4 0 3 3 5 7 5 4 0 5 9 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |
| I HEREBY STATE that at the request of and for the benefit I have conducted a boundary survey of the above describ based were made in accordance with the "Minimum Standarc | ped property and certify that this plat ar I Detail Requirements for ALTA/ACSM Land | nd the survey on which it was Title Surveys", jointly established | water |
| and adopted by ALTA, ACSM, and NSPS in 2012. Pursuant to on the date of this certification, the undersigned further ce "Minimum Angle, Distance and Closure Requirements for Surv Surveys". I FURTHER STATE that I have made no independent search or any other facts as part of this survey, but have relied I FURTHER STATE that the accompanying plat is a scaled re the location of visible evidence of utilities which I found at t | ertifies that the survey measurements were bey Measurements Which Control Land Bound of the records for easements, encumbranc upon the materials and representations su presentation of the physical situation which | e made in accordance with the daries for ALTA/ACSM Land Title es, ownership, or title evidence, upplied to me by the owner. I found in the field and shows | |
| part of this survey to excavate, uncover or expose those exact location of those facilities. For more information con utility companies. I FURTHER STATE that reference has been made upon the ac- future resurveys may be made and that I have found or set s I FURTHER STATE that no buildings on the adjacent property e | facilities to field check the existence, size ncerning those utilities, please contact the companying plat of survey to known and pe urvey monumentation as shown. | e, depth, condition, capacity or appropriate public agencies or | |
| | day of nsin Registered Land Surveyor (S-2203 | , 2012 | LEGA |
| 1120 BOTH STREE | INTYWIDE SURVEYING, INC. ET KENOSHA, WI 53143 FAX (262) 654 1120 | | PARC and in po havin North of so 6, 7 tral of |
| Refer to a current title policy and purchase agreemer Building setback lines and easements shown are in additional regulations per applicable zoning or building c | accordance with the recorded subdivis | | South 20 fo rded easements. The o |
| | | | |

State Trunk Highway "50"



75th Street

PROJECT NO. 13-122-001



SURVEY:

BY: MARASCALCO COUNTY WIDE SURVEYING 1120 80TH STREET, KENOSHA, WI 53143

CENTER 50

4623 75TH STREET PLEASANT PRAIRIE, WI

CONSULTING ENGINEER:

M SQUARED ENGINEERING

WISCONSIN OFFICE: W62 N215 WASHINGTON AVE. CEDARBURG, WI 53012 Phone (262) 376-4246 Fax (262) 375-2274



PREPARED FOR:

BEACON REALTY CAPITAL SERVICES, LLC 333 N. MICHIGAN AVENUE, SUITE 1833 CHICAGO, IL 60601

INDEX:

- COVER SHEET
- GRADING AND DRAINAGE PLAN 2.

ILLINOIS OFFICE: 2355 LAKESIDE DRIVE AURORA, IL 60504 Phone (262) 376-4246 Fax (262) 375-2274

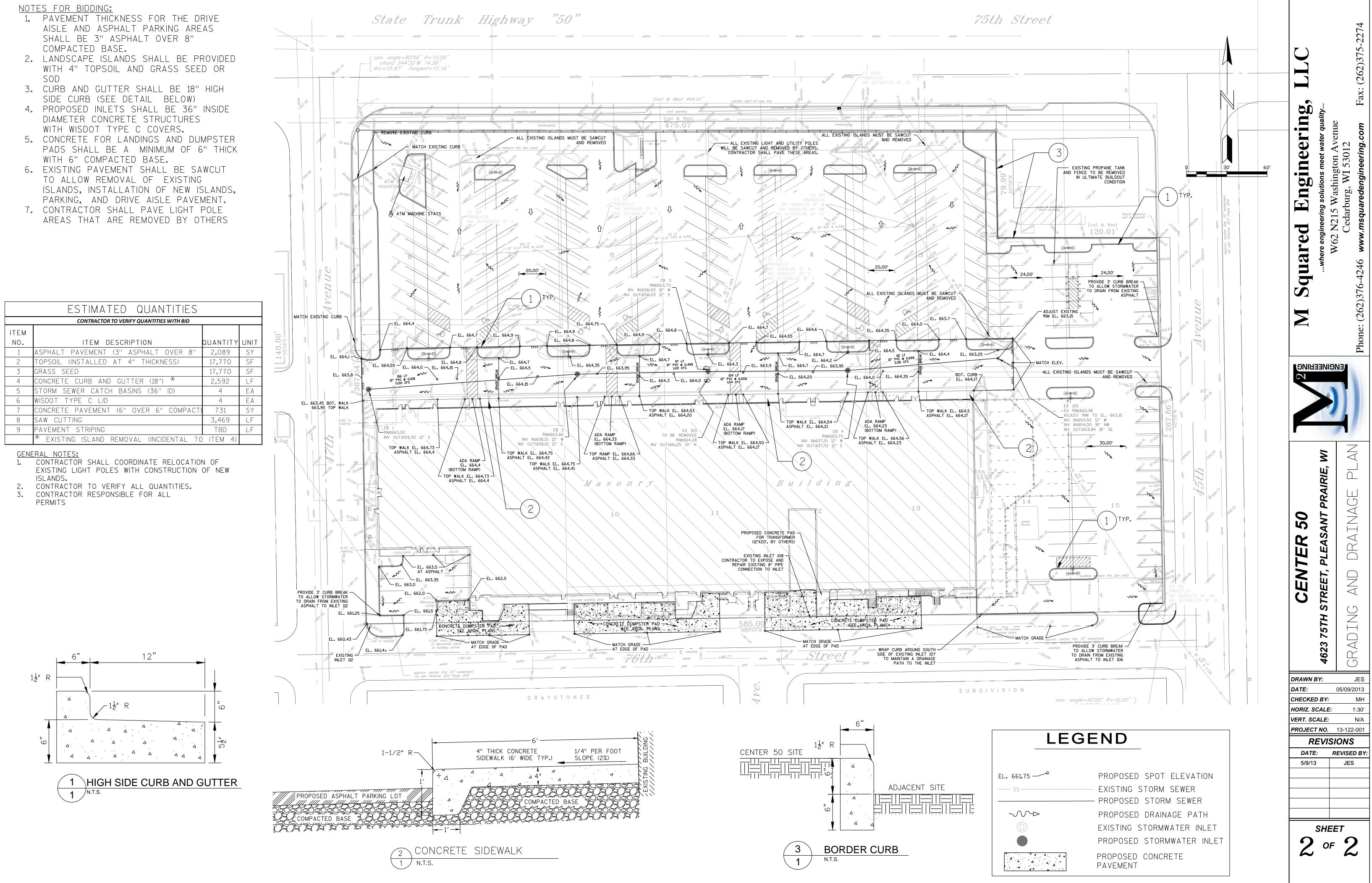
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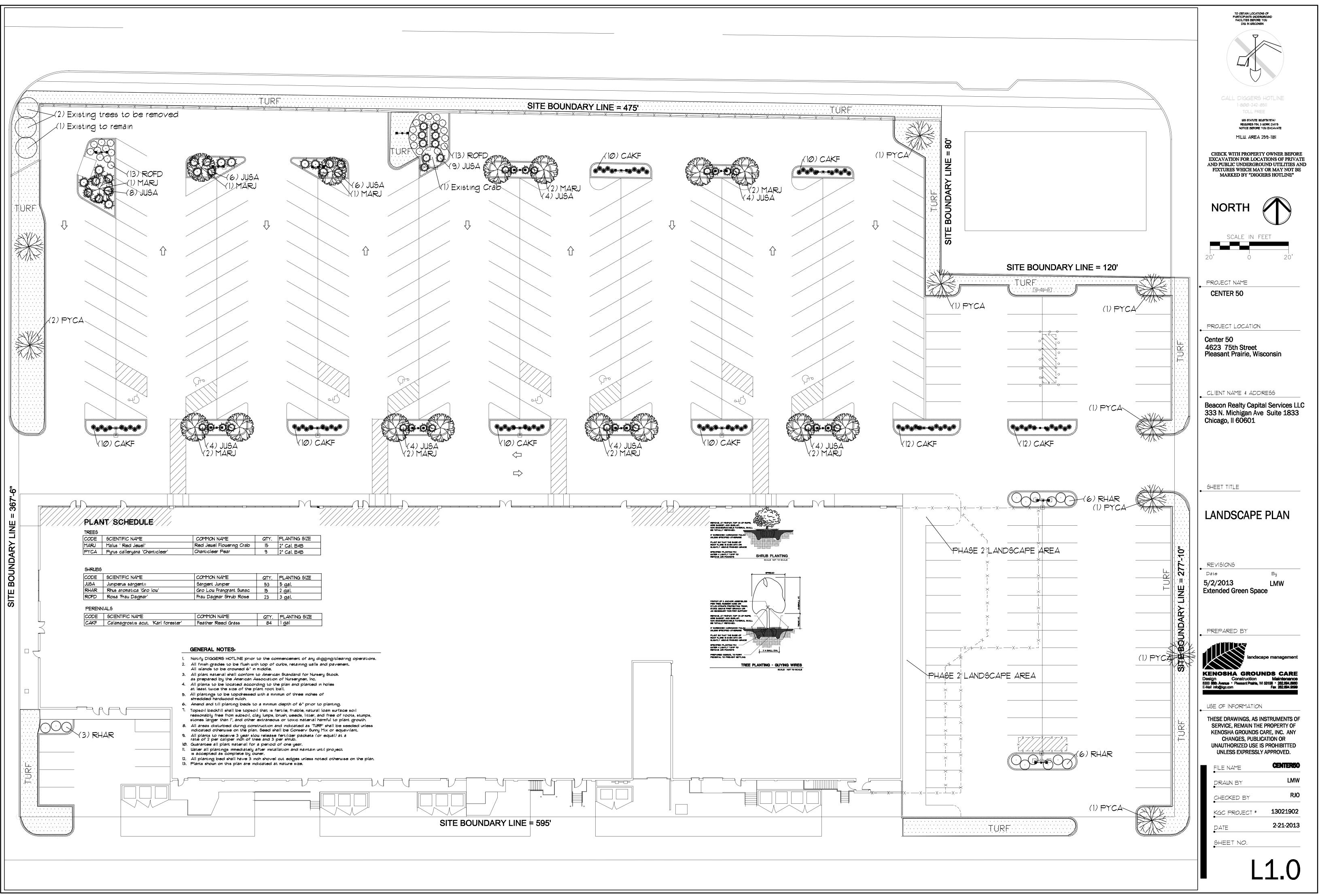
PRELIMINARY PLAN: 2/14/2013 REVISED: 5/9/2013

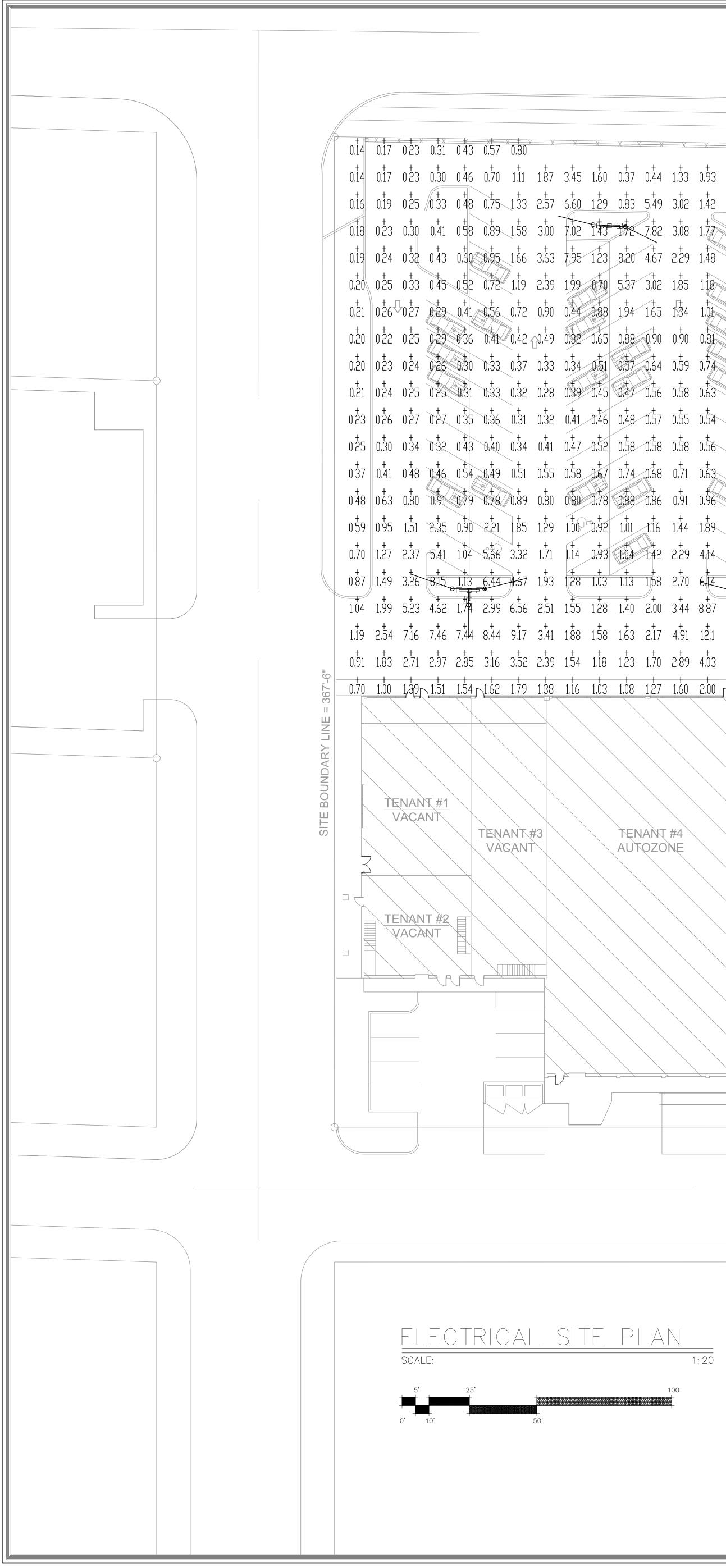


Toll Free (800) 242-8511 Milwaukee Area (414) 259-1181 Hearing Impaired TDD (800) 542-2289 www.DiggersHotline.com

SHEET of 2







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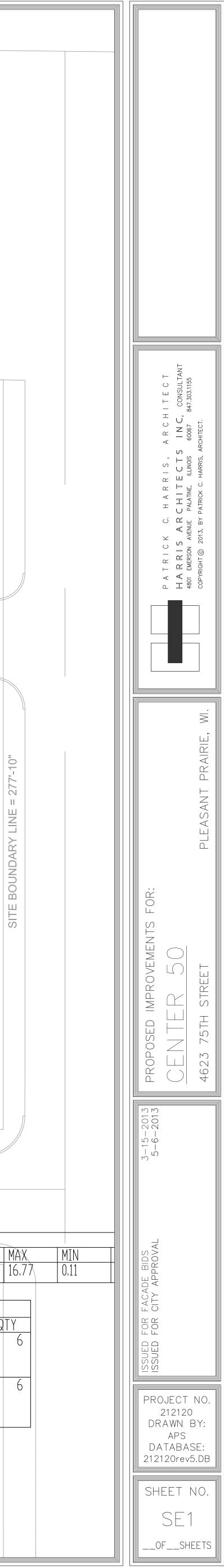
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| 3 1.03 1.13 1.58 2.70 6 4 4.00 2.18 6.86 2.62 1.68 1.29 1.29 1.52 2.6 3.88 9.20 2.27 8.80 3.71 2.13 1.49 1.31 1.38 1.92 3.22 6.1 5.27 7.18 5.53 2.66 1.67 1.31 1.27 1.59 2.32 5.14 5.58 1.44 8.23 3.54 2.09 1.34 0.90 0.77 0.64 0.73 0.70 0.59 0.90 0.77 0.64 0.73 0.70 0.59 0.90 0.77 0.64 0.73 0.70 0.59 0.90 0.77 0.64 0.73 0.70 0.59 0.90 0.89 0.6 | |
| 3 1.28 1.40 2.00 3.44 8.87 2.58 2.55 8.84 3.44 2.05 1.52 1.47 1.84 3.00 6.39 9.08 202 9.19 5.22 2.69 1.83 1.61 1.87 2.62 4.44 12.2 6.080 5.79 10.8 3.64 2.20 1.59 1.50 1.84 2.93 7.32 1.86 1.30 8.42 3.96 2.34 1.59 0.86 0.70 0.59 0.90 0.89 0.6 3 1.58 1.63 2.17 4.91 12.1 9.07 9.01 11.8 5.13 2.33 1.80 1.51 1.88 3.35 9.22 9.19 8.46 9.76 7.97 3.12 2.07 1.87 2.04 2.54 5.41 12.5 8.18 8.54 11.1 4.38 2.20 1.66 1.52 1.69 2.84 5.53 1.10 0.96 6.20 4.21 2.95 2.80 0.97 0.69 0.59 2.08 1.44 0.9 | |
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| | |
| TENANT #4 TENANT #5 TENANT #6 TENANT #7 TENANT #10 TENANT #10 TENANT #10 TENANT #10 TENANT #10 | |
| AUTOZONE VACANT FUTURE FAMILY DOLLAR < | |
| ERICAS TENANT #9 JEWELRY VACANT | |
| | |
| | |
| | |
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| | |
| | |
| | |
| | 0.46 0.5 |
| SITE BOUNDARY LINE = 595' | |

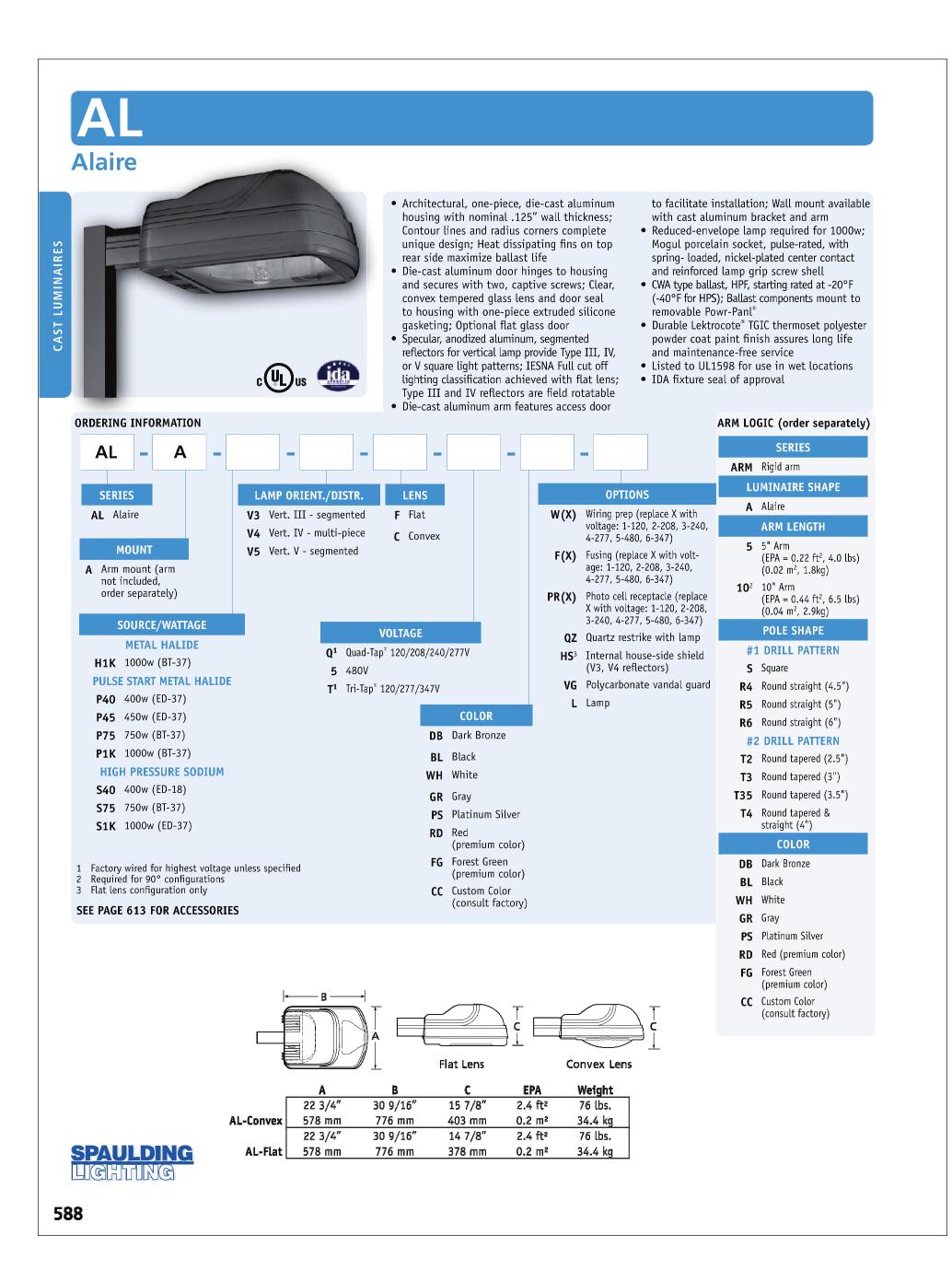
CALCULATION Parking 3 lam Center 50 LU TYP SYMBOL NORTH Α2 A3 GТÐ AREA SUMMARY AREA NAME Parking 3 lamp

DXF file created by LitePro 2.030 on 4/18/2013 11:40:07 AM

| SU | MMARY | | | | | |
|-----|-------------------------------------|---|--------|---------------|---------|----|
| | DIMENSIONS | GRID / TYPE | # PTS | SPAC GROUF |) AVE | , |
| ۱p | 659.60x437.70Ft | New Grid / H-H | 1315 | 10,00 <+> | 1,91 | |
| | | | | | | |
| JMI | NAIRE SCHEDULE | | | | | |
|][| DESCRIPTION | LAMP | LUMENS | MOUNTING/BALL | AST LLF | QT |
| | Spaulding (2) "A" AL-H40-V4-F-HS | (2) M-400/BU | 36000 | | 0.67 | |
| Ð | Spaulding (3) "A" AL-H40-V4-F-HS | (3) M-400/BU | 36000 | | 0.67 | |
| Y S | CHEDULE | <pre></pre> | | SO FT LOTY | | |

| SCHEDOLE | | | | | |
|----------|------|-----------------|--|---------------|-----|
| | I/[] | DIMENSIONS | LUMS / 〈ASMS〉 | WATTS / SQ FT | QTY |
| | | | | | |
|) | OUT | 659.60x437.70Ft | <pre><a2> (6) <a3> (6)</a3></a2></pre> | 0.05 | 1 |
| | | | | | |



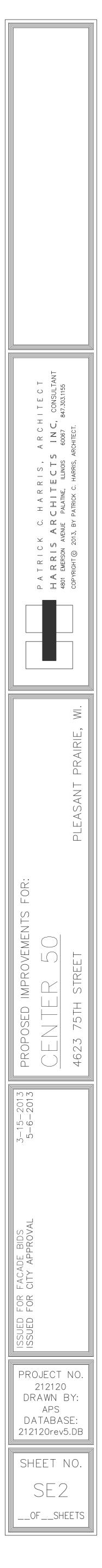


| | <u>site lighting fixture sch</u> |
|---------------|--|
|) (A2 | (2) SPAULDING #AL-H40-V4-F-HS, SINGLE 400 HALIDE LUMINAIRE, WITH FLAT GLASS, HOUSE SH DISTRIBUTION, FIXTURE MOUNTED ON A 20'-0" H POLE #SSS-15-50-7-AX-DB WITH 6" RIGID AR VERIFY COLOR SELECTION W/ARCHITECT PRIOR T MULTI-TAP BALLAST WIRED FOR 208V. |
| A3 | (3) SPAULDING #AL-H40-V4-F-HS, SINGLE 400 HALIDE LUMINAIRE, WITH FLAT GLASS, HOUSE SH DISTRIBUTION, FIXTURE MOUNTED ON A 20'-0" H POLE #SSS-15-50-7-AX-DB WITH 6" RIGID AR VERIFY COLOR SELECTION W/ARCHITECT PRIOR T MULTI-TAP BALLAST WIRED FOR 208V. |

HEDULE

00 WATT PULSE START METAL SHIELD AND HORIZONTAL TYPE III ' HIGH, 5" SQUARE STRAIGHT STEEL ARM, FINISH TO BE DARK BRONZE, TO ORDERING. LUMINAIRE TO HAVE

400 WATT PULSE START METAL SHIELD AND HORIZONTAL TYPE III "HIGH, 5" SQUARE STRAIGHT STEEL ARM, FINISH TO BE DARK BRONZE, R TO ORDERING. LUMINAIRE TO HAVE





Office of the Village Engineer/Building Inspection **Michael Spence, P.E., LEED**^R**AP**

| TO: | Mike Pollocoff, Village Administrator |
|-------|--|
| CC: | Jane Romanowski, Village Clerk John Steinbrink, Jr. Public Works Director |
| FROM: | Mike Spence, Village Engineer |
| DATE: | June 26, 2013 |
| SUBJ: | Bids for Ice Arena Parking Lot and Access Road |

Sealed bids for the above referenced project were received until 2 p.m. on June 13, 2013, at the Village Hall Auditorium and were publicly opened and read aloud. A copy of the bid tabulation is enclosed for your reference.

The project consists of one prime Contract and is identified as follows (see attached map):

- <u>Ice Arena Parking Lot Area</u> 5200 SY slurry seal, 2,800 LF 3-inch white epoxy parking lot pavement markings, 5 EA handicap parking lot symbol pavement markings.
- <u>Rear Access Road Area</u> 4300 SY slurry seal, 240 LF 4-inch yellow epoxy pavement markings, 315 LF
 3-inch yellow epoxy diagonal pavement markings, 505 LF 4-inch white epoxy pavement markings, 1400 LF 3-inch white epoxy pavement markings, 4 EA bicycle symbol pavement markings, 27 EA words "10-Minute Parking" white epoxy pavement markings.

One bid was received for this project. The bid was submitted by Fahrner Asphalt Sealers, LLC of Waunakee, WI. in the amount of \$32,636.00.

The type of pavement treatment specified for this project is a specialized system that is only utilized by a few Contractors. We worked with Fahrner to develop a specification that is most suited to this pavement type. The other primary Contractor that could have bid on the project is Struck and Irwin. They did the pavement surface last year and were not prequalified for work in the Village this year.

The Contract also included a significant amount of pavement marking. After discussions with John Steinbrink, Jr. it was decided to remove this aspect of the work and have a Public Works crew provide the pavement marking. This will reduce the Contract amount to \$17,575.00.

I recommend that the Village award this project to Fahrner Asphalt Sealers in the amount of \$17,575.00. I believe the bid is competitive because of the estimates that were given to me by Fahrner prior to bidding were consistent with what they bid and they are similar to what we would have estimated compared to other paving cost data.

Following the formal award by the Village Board, we will prepare the necessary documents for execution by the Village and the Contractor.

9915 39th Ave, Pleasant Prairie, Wisconsin 53158-2709 262.948.8951

| BID TABULATION | | | | | | |
|--|---|------|----------|---|------------------|--|
| Project Name: RecPlex - Ice Arena Parking Lot and Rear Access Road Slurry Seal Project Number: E-13-004 Owner: Village of Pleasant Prairie, Kenosha County Bid Date: June 13, 2013 ; 2:00 P.M | | | | | | |
| CONTRACTOR | | | | Fahrner Asphalt Sealers, LLC 316 Raemisch Road, Waunakee WI 53597 | | |
| | BID SECURITY | | | 5% BE | 5% BB (Included) | |
| | ADDENDUM(s) - None | | | | N/A | |
| No. | Item | Unit | Quantity | Price | Total | |
| ICE AREN | A PARKING LOT SLURRY SEAL AREA | | T | Ī | | |
| 1 | Slurry Seal including rolling, furnished and placed as specified, at a unit price of: | SY | 5200 | \$1.85 | \$9,620.00 | |
| 2 | 3-inch white epoxy parking lot markings, including diagnal markings, furnished and placed as specified, at a unit price of: | LF | 2800 | \$2.50 | \$7,000.00 | |
| 3 | handicap parking symbols, white epoxy pavement marking, furnished and placed as specified, at a unit price of: | EA | 5 | \$49.00 | \$245.00 | |
| REAR ACCESS ROAD SLURRY SEAL AREA | | | | | | |
| 4 | Slurry Seal including rolling, furnished and placed as specified, at a unit price of: | SY | 4300 | \$1.85 | \$7,955.00 | |
| 5 | 4-inch yellow epoxy pavment markings, furnished and placed as specified, at a unit price of: | LF | 240 | \$2.00 | \$480.00 | |
| 6 | 3-inch yellow epoxy diagnal pavement marking, furnished and placed as specified, at a unit price of: | LF | 315 | \$2.00 | \$630.00 | |
| 7 | 4-inch white epoxy pavement markings, furnished and placed as specified, at a unit price of: | LF | 505 | \$2.00 | \$1,010.00 | |
| 8 | 3-inch white epoxy parking lot markings, including diagnal markings, furnished and placed as specified, at a unit price of: | LF | 1400 | \$2.00 | \$2,800.00 | |

| CONTRACTOR | | | | Fahrner Asphalt Sealers, LLC 316 Raemisch Road, Waunakee WI 53597 | | |
|---------------------------|---|------|-------------|---|------------|--|
| BID SECURITY | | | | 5% BB (Included) | | |
| ADDENDUM(s) - None | | | | | N/A | |
| No. | Item | Unit | Quantity | Price | Total | |
| 9 | Bicycle symbol pavement markings, furnished and placed as specified, at a unit price of: | EA | 4 | \$49.00 | \$196.00 | |
| 10 | Words "10-MINUTE PARKING" white epoxy pavement markings, furnished and placed as specified, at a unit price of: | EA | 27 | \$100.00 | \$2,700.00 | |
| TOTAL ITEMS 1 THROUGH 10: | | | \$32,636.00 | | | |





ICE ARENA PARKING LOT AND REAR ACCESS ROAD LOCATION MAP



PREPARED BY: VOPP ENGINEERING DATE: 5/19/13 VILLAGE OF PLEASANT PRAIRIE 9915 39TH AVENUE PLEASANT PRAIRIE, WI 53158



ICE ARENA PARKING LOT AND REAR ACCESS ROAD SLURRY SEAL PROJECT

CLERK'S CERTIFICATION OF BARTENDER LICENSE APPLICATIONS Period Ending: June 26, 2013

I, Jane M. Romanowski, Village Clerk of the Village of Pleasant Prairie, Kenosha County, Wisconsin, do hereby certify the following persons have applied for bartender licenses and **each applicant is in compliance with the guidelines set forth in Chapter 194 of the Municipal Code.** I recommend approval of the applications for each person as follows:

NAME OF APPLICANT

LICENSE TERM

- 1. Chloe A. Guida
- 2. Bethany A. Larsen
- 3. Rachael E. Weidner

thru June 30, 2015 thru June 30, 2015 thru June 30, 2015

Jane M. Romanowski Village Clerk

CLERK'S CERTIFICATION OF <u>RENEWAL</u> BARTENDER LICENSE APPLICATIONS Period Ending: June 26, 2013

I, Jane M. Romanowski, Village Clerk of the Village of Pleasant Prairie, Kenosha County, Wisconsin, do hereby certify the following persons have applied for a renewal bartender license, and **each applicant** is in compliance with the guidelines set forth in Chapter 194 of the Municipal Code. I recommend approval of the application for each person as follow:

NAME OF APPLICANT

LICENSE TERM

1. Frances R. Ferraton

- 2. Michael J. Greer
- 3. Katie J. Harris

June 30, 2015 June 30, 2015 June 30, 2015

NOTE: ALL LICENSEES LISTED ABOVE HAVE SUBMITTED RENEWAL APPLICATIONS AND THE POLICE DEPARTMENT HAS SEARCHED ITS RECORDS. FOLLOWING PAST PRACTICE DUE TO THE NUMBER AND TIME REQUIRED, THE RENEWAL APPLICATIONS WERE NOT COPIED FOR THE BOARD MEETING.

Jane M. Romanowski Village Clerk