

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39<sup>th</sup> AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
5:00 P.M.  
JUNE 17, 2013**

**AGENDA**

1. Call to Order.
  2. Roll Call.
  3. Correspondence.
  4. Citizen Comments.
  5. New Business.
- A. **PUBLIC HEARING AND CONSIDERATION APPROVAL OF PLAN COMMISSION RESOLUTION #13-07 FOR THE FOLLOWING COMPREHENSIVE PLAN AMENDMENTS:** **1)** to amend Chapter 1 (page 9) to include the land that was annexed into the Village by Land Transfer Ordinance #2 adopted by the Village Board on January 21, 2013 (Tax Parcel Numbers 91-4-121-254-0401 and 91-4-121-254-0406) in the Planning Area description and to amend Map 1.2 to show the area being annexed into Pleasant Prairie within the Corporate boundaries of Pleasant Prairie; **2)** to amend Chapter 9 (page 407 and 408) to include a new manufacturing land use designation entitled: "Production Manufacturing" and a general description of the new designation; and **3)** to amend the 2035 Land Use Plan Map 9.9 as follows: a) The following properties generally located west of Green Bay Road and north of Springbrook Road and further identified as Tax Parcel Numbers 92-4-122-273-0156 owned by Citizens Bank of Mukwonago, 92-4-122-342-0100 owned by Rabin and Lynn LLC, 92-4-122-342-0300 owned by VPX Farm LLC and 92-4-122-331-0150 owned by Rabin and Lynn LLC that are currently located within a General Industrial land use designation with an Urban Reserve land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged; b) The following properties generally located east of IH-94 between 110<sup>th</sup> Street and 122<sup>nd</sup> Street and further identified as Tax Parcel Numbers 92-4-122-303-0101, 92-4-122-304-0200, 92-4-122-311-0200, 92-4-122-312-0305 and 92-4-122-312-0310 owned by James G Hart and Delaine Farm Partners, 92-4-122-303-0300 owned by Ries Partners LP, 92-4-122-312-0100 owned by Otto H. Sprenger Trust Revocable Trust and 92-4-122-312-0150 owned by Kathleen Johnson that are currently located within Freeway-Oriented Regional Retail Centers land use designation with an Urban Reserve land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged; and c) The following properties generally located west of IH-94 at approximately 11300 block of 120<sup>th</sup> Avenue (West Frontage Road) and further identified as Tax Parcel Numbers 91-4-121-254-0122, 91-4-121-254-0401 and 91-4-121-254-0406 and owned by Pleasant Prairie Community Development Authority, 91-4-121-254-0301 owned by Ries Partners LP that are currently located within Freeway-Oriented Regional Retail Centers land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged; and **4)** to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.
- B. **PUBLIC HEARING AND CONSIDERATION THE FOLLOWING A ZONING TEXT AMENDMENTS:** 1) to create Section 420-125.1 of the Village Zoning Ordinance entitled M-5 Production Manufacturing District and 2) 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.

- C. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENTS:** to rezone the following properties into the new M-5 Production Manufacturing District: **1)** portions of the following properties generally located west of Green Bay Road and north of Springbrook Road that are currently zoned M-2 (AGO), General Manufacturing District with a General Agricultural Overland District: Tax Parcel Numbers 92-4-122-273-0156 owned by Citizens Bank of Mukwonago, 92-4-122-342-0100 owned by Rabin and Lynn LLC, 92-4-122-342-0300 owned by VPX Farm LLC and 92-4-122-331-0150 owned by Rabin and Lynn LLC.; **2)** portions of the following properties generally located east of IH-94 between 110<sup>th</sup> Street and 122<sup>nd</sup> Street that are currently zoned A-2, General Agricultural District and further identified as Tax Parcel Numbers 92-4-122-303-0101, 92-4-122-304-0200, 92-4-122-311-0200, 92-4-122-312-0305 and 92-4-122-312-0310 owned by James G Hart and Delaine Farm Partners, 92-4-122-303-0300 owned by Ries Partners LP, 92-4-122-312-0100 owned by Otto H. Sprenger Trust Revocable Trust and 92-4-122-312-0150 owned by Kathleen Johnson; and **3)** portions of the following properties generally located west of IH-94 at approximately 11300 block of 120<sup>th</sup> Avenue (West Frontage Road) that are currently zoned B-3, Regional Retail District or A-2, General Agricultural District and further identified as Tax Parcel Numbers 91-4-121-254-0122, 91-4-121-254-0401 91-4-121-254-0406 and owned by Pleasant Prairie Community Development Authority and 91-4-121-254-0301 owned by Ries Partners LP. Any portion of the properties that are zoned C-1, Lowland Resource Conservancy District, C-2, Upland Resource Conservancy District, or FPO, Floodplain Overland District will remain unchanged.

6. Adjourn.

It is possible that members and possibly a quorum of members of other governmental bodies of the municipality may be in attendance in the above stated meeting to gather information; no action will be taken by any other governmental body except the governing body noticed above.

**The Village Hall is handicapped accessible. If you have other special needs, please contact the Village Clerk, 9915 39<sup>th</sup> Avenue, Pleasant Prairie, WI (262) 694-1400.**

## VILLAGE STAFF REPORT OF JUNE 17, 2013

**THESE ITEMS ARE RELATED AND WILL BE DISCUSSED AT THE SAME TIME HOWEVER SEPARATE ACTION IS REQUIRED.**

- A. **PUBLIC HEARING AND CONSIDERATION APPROVAL OF PLAN COMMISSION RESOLUTION #13-07 FOR THE FOLLOWING COMPREHENSIVE PLAN AMENDMENTS: 1)** to amend Chapter 1 (page 9) to include the land that was annexed into the Village by Land Transfer Ordinance #2 adopted by the Village Board on January 21, 2013 (Tax Parcel Numbers 91-4-121-254-0401 and 91-4-121-254-0406) in the Planning Area description and to amend Map 1.2 to show the area being annexed into Pleasant Prairie within the Corporate boundaries of Pleasant Prairie; **2)** to amend Chapter 9 (page 407 and 408) to include a new manufacturing land use designation entitled: "Production Manufacturing" and a general description of the new designation; and **3)** to amend the 2035 Land Use Plan Map 9.9 as follows: a) The following properties generally located west of Green Bay Road and north of Springbrook Road and further identified as Tax Parcel Numbers 92-4-122-273-0156 owned by Citizens Bank of Mukwonago, 92-4-122-342-0100 owned by Rabin and Lynn LLC, 92-4-122-342-0300 owned by VPX Farm LLC and 92-4-122-331-0150 owned by Rabin and Lynn LLC that are currently located within a General Industrial land use designation with an Urban Reserve land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged; b) The following properties generally located east of IH-94 between 110<sup>th</sup> Street and 122<sup>nd</sup> Street and further identified as Tax Parcel Numbers 92-4-122-303-0101, 92-4-122-304-0200, 92-4-122-311-0200, 92-4-122-312-0305 and 92-4-122-312-0310 owned by James G Hart and Delaine Farm Partners, 92-4-122-303-0300 owned by Ries Partners LP, 92-4-122-312-0100 owned by Otto H. Sprenger Trust Revocable Trust and 92-4-122-312-0150 owned by Kathleen Johnson that are currently located within Freeway-Oriented Regional Retail Centers land use designation with an Urban Reserve land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged; and c) The following properties generally located west of IH-94 at approximately 11300 block of 120<sup>th</sup> Avenue (West Frontage Road) and further identified as Tax Parcel Numbers 91-4-121-254-0122, 91-4-121-254-0401 and 91-4-121-254-0406 and owned by Pleasant Prairie Community Development Authority, 91-4-121-254-0301 owned by Ries Partners LP that are currently located within Freeway-Oriented Regional Retail Centers land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged; and **4)** to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

**Recommendation:** Village staff recommends that the Plan Commission approve Plan Commission Resolution #13-07 and send a favorable recommendation to the village Board to approve the Comprehensive Plan Amendments as presented.

- B. **PUBLIC HEARING AND CONSIDERATION THE FOLLOWING A ZONING TEXT AMENDMENTS: 1)** to create Section 420-125.1 of the Village Zoning Ordinance entitled M-5 Production Manufacturing District and **2)** 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.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the Zoning Text Amendments as presented.

C. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENTS:** to rezone the following properties into the new M-5 Production Manufacturing District **1)** portions of the following properties generally located west of Green Bay Road and north of Springbrook Road that are currently zoned M-2 (AGO), General Manufacturing District with a General Agricultural Overland District: Tax Parcel Numbers 92-4-122-273-0156 owned by Citizens Bank of Mukwonago, 92-4-122-342-0100 owned by Rabin and Lynn LLC, 92-4-122-342-0300 owned by VPX Farm LLC and 92-4-122-331-0150 owned by Rabin and Lynn LLC.; **2)** portions of the following properties generally located east of IH-94 between 110<sup>th</sup> Street and 122<sup>nd</sup> Street that are currently zoned A-2, General Agricultural District and further identified as Tax Parcel Numbers 92-4-122-303-0101, 92-4-122-304-0200, 92-4-122-311-0200, 92-4-122-312-0305 and 92-4-122-312-0310 owned by James G Hart and Delaine Farm Partners, 92-4-122-303-0300 owned by Ries Partners LP, 92-4-122-312-0100 owned by Otto H. Sprenger Trust Revocable Trust and 92-4-122-312-0150 owned by Kathleen Johnson; and **3)** portions of the following properties generally located west of IH-94 at approximately 11300 block of 120<sup>th</sup> Avenue (West Frontage Road) that are currently zoned B-3, Regional Retail District or A-2, General Agricultural District and further identified as Tax Parcel Numbers 91-4-121-254-0122, 91-4-121-254-0401 91-4-121-254-0406 and owned by Pleasant Prairie Community Development Authority and 91-4-121-254-0301 owned by Ries Partners LP. Any portion of the properties that are zoned C-1, Lowland Resource Conservancy District, C-2, Upland Resource Conservancy District, or FPO, Floodplain Overland District will remain unchanged.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the Zoning Map Amendments as presented.

*On March 11, 2013 the Village Plan Commission adopted Plan Commission Resolution #13-04 to initiate amendments to the Village 2035 Comprehensive Plan, the Village Zoning Ordinance and the Village Zoning Maps related to creating a new M-5, Production Manufacturing Zoning District that would allow for specific manufacturing, production and office uses located on properties located adjacent to the LakeView Corporation Park. The new M-5 Zoning 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 is important to conserve land resources and economic infrastructure support in order to assist in providing more employment in the Village. The new District would serve to promote and encourage production, manufacturing, and office related employment as the primary uses with warehousing and distribution to be ancillary or secondary uses in this District. The M-5 District would be used to encourage and promote more intensive land uses which in turn would promote greater employment opportunities in proximity to IH-94 and STH 31. The Village's goal would be to increase the number of jobs per acre, which is good for the community.*

**ZONING ORDINANCE AMENDMENTS:**

1. Section 420-125.1 M-5, PRODUCTION MANUFACTURING DISTRICT is proposed to be created. The M-5 District is intended to provide for manufacturing, assembly, office, and research and development uses with limited warehouse and distribution uses within an enclosed structure wherein no high hazard uses are allowed and the method of manufacturing is not injurious to the point of constituting a nuisance to the occupants of adjacent properties by reason of the emission or creation of noise, vibration, smoke, dust or particle matters, toxic or noxious materials, odors, fire or explosive hazards, glare or heat and located in those areas where the relationship to surrounding land uses would



create few problems of compatibility. This District also allows for office parks or individual office buildings and ancillary uses, which may or may not include space for manufacturing, assemblies, or research and development, but provides direct services to the employees or customers or other uses in the area. It is anticipated that these areas would be developed in an attractive corporate park-like setting with landscaping, consistent signage, and similar or compatible building materials and designed to present an integrated image to customers. No such District shall be established unless it is in compliance with Village adopted or amended comprehensive, neighborhood and conceptual plans.

Some of the uses allowed in the M-5 District are based on the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC), as may be amended from time to time. Where a use is proposed for a purpose that is not specifically provided in Chapter 3 of the 2006 IBC and is not specifically listed as a prohibited use in the M-5, District, such use shall be classified in the group that the occupancy most clearly resembles, according to the fire safety and relative hazard involved. The Zoning Administrator shall make the final determination if the use is allowed within the M-5 District.

The District sets forth specific sections entitled: permitted uses, auxiliary permitted uses, unspecified uses, conditional uses, special license uses, combination of uses, accessory uses, temporary uses, prohibited uses, dimensional standards, design standards, operational standards, Authorized sanitary sewer system and authorized water system. (See **attached** Ordinance for specific ordinance requirements.)

In order to avoid a conflict in the ordinance the definition for auxiliary permitted uses is proposed to be amended. A separate public hearing has been set to consider this amendment on July 8, 2013. The definition is proposed to be amended to read as follows:

**AUXILIARY PERMITTED USE**

A principal use that is a permitted use only when it is auxiliary **(secondary)** to one or more permitted uses located in a principal building, in that it is located in the same principal building as the permitted use(s); **and for any retail or service auxiliary use--it** is designed to serve the needs of the occupants of the principal building, has no dedicated outside entrance to such building, and has no signage visible from the exterior of such building.

2. Section 420-100 A (1) related to zoning districts established is amended to include the M-5, Production Manufacturing District.

**ZONING MAP AMENDMENTS**: The following properties are proposed to be rezoned into the new M-5 Production Manufacturing District:

1. Portions of the following properties generally located west of Green Bay Road and north of Springbrook Road that are currently zoned M-2 (AGO), General Manufacturing District with a General Agricultural Overland District: Tax Parcel Numbers 92-4-122-273-0156 owned by Citizens Bank of Mukwonago, 92-4-122-342-0100 owned by Rabin and Lynn LLC, 92-4-122-342-0300 owned by VPX Farm LLC and 92-4-122-331-0150 owned by Rabin and Lynn LLC.
2. Portions of the following properties generally located east of IH-94 between 110<sup>th</sup> Street and 122<sup>nd</sup> Street that are currently zoned A-2, General Agricultural District and further identified as Tax Parcel Numbers 92-4-122-303-0101, 92-4-122-304-0200, 92-4-122-311-0200, 92-4-122-312-0305 and 92-4-122-312-0310 owned by James G Hart and Delaine Farm Partners, 92-4-122-303-0300 owned by Ries Partners LP, 92-4-122-312-0100 owned

by Otto H. Sprenger Trust Revocable Trust and 92-4-122-312-0150 owned by Kathleen Johnson.

3. Portions of the following properties generally located west of IH-94 at approximately 11300 block of 120<sup>th</sup> Avenue (West Frontage Road) that are currently zoned B-3, Regional Retail District or A-2, General Agricultural District and further identified as Tax Parcel Numbers 91-4-121-254-0122, 91-4-121-254-0401 91-4-121-254-0406 and owned by Pleasant Prairie Community Development Authority and 91-4-121-254-0301 owned by Ries Partners LP.

Any portion of the properties that are zoned C-1, Lowland Resource Conservancy District, C-2, Upland Resource Conservancy District, or FPO, Floodplain Overland District will remain unchanged.

**COMPREHENSIVE PLAN AMENDMENTS:** The Village 2035 Comprehensive Plan shall be consistent with the Zoning Ordinance, therefore, the following amendments are proposed related to the creation of the new M-5 District and the properties proposed to be rezoned into those districts. The following comprehensive plan amendments are proposed:

1. To amend Chapter 1 (page 9) to include the land that was annexed into the Village by Land Transfer Ordinance #2 adopted by the Village Board on January 21, 2013 (Tax Parcel Numbers 91-4-121-254-0401 and 91-4-121-254-0406) in the Planning Area description and to amend Map 1.2 to show the area that was annexed into Pleasant Prairie within the Corporate boundaries of Pleasant Prairie.
2. To amend Chapter 9 (page 407 and 408) to include a new manufacturing land use designation entitled: "Production Manufacturing" and a general description of the new designation.
3. To amend the 2035 Land Use Plan Map 9.9 as follows:
  - The following properties generally located west of Green Bay Road and north of Springbrook Road and further identified as Tax Parcel Numbers 92-4-122-273-0156 owned by Citizens Bank of Mukwonago, 92-4-122-342-0100 owned by Rabin and Lynn LLC, 92-4-122-342-0300 owned by VPX Farm LLC and 92-4-122-331-0150 owned by Rabin and Lynn LLC that are currently located within a General Industrial land use designation with an Urban Reserve land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged.
  - The following properties generally located east of IH-94 between 110<sup>th</sup> Street and 122<sup>nd</sup> Street and further identified as Tax Parcel Numbers 92-4-122-303-0101, 92-4-122-304-0200, 92-4-122-311-0200, 92-4-122-312-0305 and 92-4-122-312-0310 owned by James G Hart and Delaine Farm Partners, 92-4-122-303-0300 owned by Ries Partners LP, 92-4-122-312-0100 owned by Otto H. Sprenger Trust Revocable Trust and 92-4-122-312-0150 owned by Kathleen Johnson that are currently located within Freeway-Oriented Regional Retail Centers land use designation with an Urban Reserve land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged.
  - The following properties generally located west of IH-94 at approximately 11300 block of 120<sup>th</sup> Avenue (West Frontage Road) and further identified as Tax Parcel Numbers 91-4-121-254-0122, 91-4-121-254-0401 and 91-4-121-254-0406 and owned by Pleasant Prairie Community Development Authority, 91-4-121-254-0301 owned by Ries Partners LP that are currently located within Freeway-Oriented

Regional Retail Centers land use designation to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged.

4. To update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

**Recommendation:**

Village staff recommends that the Plan Commission approve Plan Commission Resolution #13-07 and send a favorable recommendation to the village Board to approve the **Comprehensive Plan Amendments** as presented.

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve **the Zoning Text Amendments** as presented.

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Map Amendments** as presented.

**ORDINANCE TO CREATE SECTION 420-125.2  
OF THE VILLAGE ZONING ORDINANCE  
RELATED TO THE M-5, PRODUCTION MANUFACTURING DISTRICT  
IN THE VILLAGE OF PLEASANT PRAIRIE,  
KENOSHA COUNTY, WISCONSIN**

**THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE,  
KENOSHA COUNTY, WISCONSIN, DO HEREBY ORDAIN THAT SECTION 420-125.2 IS  
HEREBY CREATED TO READ AS FOLLOWS:**

**420-125.1 M-5 Production Manufacturing District**

A. **Purpose and characteristics.** The M-5 Production Manufacturing District is intended to provide for manufacturing, assembly, office, and research and development uses with limited warehouse and distribution **uses** within an enclosed structure wherein no high hazard uses are allowed and the method of manufacturing is not injurious to the point of constituting a nuisance to the occupants of adjacent properties by reason of the emission or creation of noise, vibration, smoke, dust or particle matters, toxic or noxious materials, odors, fire or explosive hazards, glare or heat and located in those areas where the relationship to surrounding land uses would create few problems of compatibility. This District also allows for office parks or individual office buildings and ancillary uses, which may or may not include space for manufacturing, assemblies, or research and development, but provides direct services to the employees or customers or other uses in the area. It is anticipated that these areas would be developed in an attractive **corporate** park-like setting with landscaping, consistent signage, and similar or compatible building materials and designed to present an integrated image to customers. No such District shall be established unless it is in compliance with Village adopted or amended comprehensive, neighborhood and conceptual plans.

Some of the uses allowed in the M-5 District are based on the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC), as may be amended from time to time. Where a use is proposed for a purpose that is not specifically provided in Chapter 3 of the 2006 IBC and is not specifically listed as a prohibited use in the M-5, District, such use shall be classified in the group that the occupancy most clearly resembles, according to the fire safety and relative hazard involved. The Zoning Administrator shall make the final determination if the use is allowed within the M-5 District.

B. **Permitted uses.** The following listed principal uses and certain unspecified principal uses approved pursuant to Subsection C below, are allowed as permitted uses in the M-5 District, subject to the requirements of Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes.

(1) Uses classified as Factory Group F in Section 306 of the 2006 IBC including: assembling, disassembling, fabricating, finishing, manufacturing, packaging, distributing (pursuant to Section C (3) below), repair or processing operations that are not classified as a Group H Hazard or Group S Storage pursuant to Sections 307 and 311 of the 2006 IBC provided however the use is not listed as a prohibited use in subsection C below.

(a) Factory Industrial F-2 Low-hazard uses that involve the fabrication or manufacturing of noncombustible materials which during finishing,

packing or processing do not involve a significant fire hazard, as determined by the Village Fire & Rescue Chief, including but not limited to: beverages (up to and included 12-percent alcohol content); brick and masonry; ceramic products; foundries; glass products; gypsum; ice; and metal products (fabrication and assembly).

- (b) Factory Industrial F-1 Moderate-hazard uses which are not classified as Factory Industrial F-2 Low-hazard uses including but not limited to: aircraft; appliances; athletic equipment; automobiles and other motor vehicles, bakeries, beverages (over 12-percent alcohol content); bicycles; boats, building; brooms or brushes; business machines; cameras and photo equipment; canvas or similar fabric; carpet and rug (including cleaning); clothing; construction and agricultural machinery; disinfectants, dry cleaning and dyeing; electronics; engines (including rebuilding); food processing; furniture; hemp products; jute products; laundries; leather products; lighting products, machinery; metals; millwork (sash and door); motion pictures and television filming (without spectators); musical instruments, optical goods; paper mills or products; photographic film; plastic products; printing or publishing; recreational vehicles; shoes; soaps and detergents; textiles; tobacco; trailers; upholstering; wood, distillation; woodworking (cabinets).

(2) Corporate, business and professional office uses.

C. **Auxiliary permitted uses.** The following listed auxiliary principal uses, and certain unspecified auxiliary principal uses as approved pursuant to Subsection C(4) below, are allowed as permitted uses in the M-5 District:

- (1) Retail auxiliary uses. The retail sale of any of the following goods or products shall be an auxiliary permitted use in a principal office building in the M-5 District: bakery goods; books; candy; cards; ice cream; newspapers and magazines; office supplies; pharmaceuticals; sundries; and tobacco provided that the following limitations<sup>s</sup> are satisfied: such uses are auxiliary to the permitted office uses(s), in that they are located in the principal office building, and are designed to serve the needs of the occupants of the principal office building, and have no dedicated outside entrance to such building, and have no signage visible from the exterior of such building, and further provided that all retail and service auxiliary permitted uses in a principal office building together shall not occupy more than 10% of the gross floor area of such building, all subject to the requirements of Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes.
- (2) Service auxiliary uses. The following service uses shall be auxiliary permitted uses in a principal office building in the M-5 District: barbershop; coffeehouse; dry-cleaning service; financial institution; photocopying center; photograph developing and printing; restaurant (not including a drive-in restaurant, a restaurant with drive-through facility, a restaurant with outdoor seating, or a restaurant serving or selling alcoholic beverages); and shoe shine or repair service provided that the following limitations<sup>s</sup> are satisfied: such uses are auxiliary to the permitted office uses(s), in that they are located in the principal office building, and are designed to serve the needs of the occupants of the principal office building, and have no dedicated outside entrance to such building, and have no signage visible from the exterior of

such building, and further provided that all service and retail auxiliary permitted uses in a principal office building together shall not occupy more than 10% of the gross floor area of such building, all subject to the requirements of Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes.

- (3) Warehouse and distribution auxiliary uses. ~~The warehouse and distribution uses allowed in the M-5 District as uses classified as Storage Group S in Section 311 of the 2006 IBC that are not classified as a Group H Hazard pursuant to Section 307 of the 2006 IBC shall be auxiliary permitted uses in a building in the M-5 District; provided that the following limitations are satisfied: Such uses, with the exception of the company's raw materials and the finished products assembled or produced on site, are auxiliary to the permitted manufacturing or research and development use(s), in that they are located in the principal building, and further provided that all warehouse and distribution auxiliary permitted uses in a principal building together shall not occupy more than 30% of the gross floor area of such building and that the dock doors are limited to a total of 25% of the building exterior walls, all subject to the requirements of Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes.~~ **The warehouse and distribution auxiliary uses which are allowed in the M-5 District are uses classified as Storage Group S in Section 311 of the 2006 IBC that are not classified as a Group H Hazard pursuant to Section 307 of the 2006 IBC shall be auxiliary permitted uses in a building in the M-5 District, provided that all of the following limitations shall be satisfied:**

- (a) **Such uses are auxiliary to the permitted manufacturing or research and development use(s), in that they are located in the principal building;**
- (b) **All warehouse and distribution auxiliary permitted uses in a principal building together shall not occupy more than 30% of the gross floor area of such building, except that the building occupant's storage of raw materials and finished products assembled or produced on-site shall be exempt from this 30% requirement;**
- (c) **The building façade area of dock doors is limited to a total of 25% of the building exterior walls; and**
- (d) **Such uses are subject to the requirements of Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes.**

- (4) Unspecified permitted auxiliary uses. The Zoning Administrator shall have authority to approve, as an auxiliary permitted use, a proposed principal use not listed in Subsection C(1), (2) or (3) above, if the proposed use is similar in character to one or more of the listed auxiliary permitted uses in the M-5 District, the use satisfies all of the limitations of this Subsection C above, and is free of potential problems requiring special regulation. The Zoning Administrator shall make written findings supporting any such decision. Notwithstanding the foregoing authorization, the following uses shall not be construed to be auxiliary permitted uses in the M-5 District:

- (a) Any adult-oriented uses, including, without limitation, an adult bookstore, adult cabaret, adult club, adult dry cabaret, adult movie

theater, adult video rental store, adult video store or adult viewing facility.

- (b) Anhydrous ammonia (bulk storage facility or retail sale).
- (c) Asbestos (storage of).
- (d) Animal hospitals, kennels and pounds.
- (e) Any cabaret.
- (f) Car wash (commercial).
- (g) Concrete and asphalt batch plants.
- (h) Dry cabaret.
- (i) Fertilizer (production, sales, storage, mixing or blending).
- (j) Feed mills.
- (k) Fireworks (manufacturing, storage or sale).
- (l) Flea markets.
- (m) Gas stations with or without a car wash (commercial).
- (n) Greenhouse.
- (o) Hotel.
- (p) Liquor store.
- (q) Livestock sale facilities.
- (r) Motel.
- (s) Nursery.
- (t) Pawnshop.
- (u) Petroleum bulk stations and terminals.
- (v) Psychic/tarot card/astrology reading.
- (w) Refuse incineration.
- (x) Slaughterhouse.
- (y) Tavern.
- (z) Tires (production or bulk storage).
- (aa) Truck stop and/or truck service facility.
- (bb) Wrecking, junk, demolition and scrap yards.

D. **Unspecified permitted uses.** The Zoning Administrator shall have authority to approve as a permitted use in the M-5 District a proposed principal use not listed in Subsection B or C above if the proposed use is similar in character to one or more of the listed permitted uses in the M-5 District and is free of potential problems requiring special regulation. The Zoning Administrator shall make written findings supporting any such decision. Any use so approved shall be subject to all requirements of Subsection B or C above. Notwithstanding the foregoing authorization, the following uses shall not be construed to be permitted uses in the M-5 District:

- (1) Any listed permitted use or condition use or unspecified permitted use specified in any other district that is not expressly listed in Subsection B above.
- (2) Any use involving the serving or selling of alcoholic beverages that is not specifically listed in Subsection B or C above.
- (3) Any adult-oriented uses, including, without limitation, an adult bookstore, adult cabaret, adult club, adult dry cabaret, adult movie theater, adult video rental store, adult video store or adult viewing facility.
- (4) Any use classified as a High-Hazard Group H uses pursuant to Section 307 of the 2006 IBC that involve the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of those allowed in control areas constructed and located as required in Section 414 of the 2006 IBC.

E. **Conditional uses.** The following uses may be permitted as conditional uses in the M-5 District (as principal uses or accessory uses, as appropriate) pursuant to and in accordance with Article XVIII of this chapter, subject to the requirements of Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes:

- (1) Retail or wholesale of merchandise manufactured or stored within the building, provided that the retail or wholesale use is not classified as a High-Hazard Group H pursuant to Section 307 of the 2006 IBC.
- (2) Day-care facilities, either for children or adults.
- (3) Miscellaneous uses. The following miscellaneous uses may be permitted as conditional uses in the M-5 District:
  - (a) Commercial communication antennas, whips, panels or other similar transmission or reception devices (but no towers) mounted on a principal building (as either a principal use or an accessory use).
  - (b) Electric power or gas metering substation (only as a principal use on its own lot).
  - (c) Freestanding commercial communication structure (only as a principal use on its own lot).
  - (d) Outside storage.
  - (e) Transmission line (electric power or natural gas).
  - (f) Utility substation building (only as a principal use on its own lot).
  - (g) Wind energy conversion systems.

F. **Special licensed uses.** Some uses require a special license approved by the Village Board and may only be operated pursuant to and in accordance with such license. The granting of a Village license by the Village Board is not assured either by permitted use status or by the granting of a conditional use permit or of any other permit or approval under this chapter.

G. **Combination of uses.** Except as otherwise specifically provided for in this section, two or more principal uses and their related accessory uses may be located and conducted in the same principal building in the M-5 District, subject to Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes, in accordance with each of the following restrictions to the extent such restrictions are applicable:



- (1) Permitted uses allowed in the M-5 District and their related accessory uses may be located separately or together, and may be conducted separately or together, with other such permitted uses and their related accessory uses in the same principal building in the M-5 District.
- (2) Conditional uses allowed in the M-5 District and their related accessory uses may be located separately or together, and may be conducted separately or together, with other such conditional uses and their related accessory uses in the same principal building in the M-5 District; provided, however, that the area of a building occupied by a conditional use and any related accessory uses shall be a physically separate defined area in which any proposed new use of any kind (or any use of any kind existing as of the time when the conditional use permit for such conditional use or any amendment of such permit is approved) shall be allowed only pursuant to and in accordance with the conditional use permit issued for such conditional use under Article XVIII of this chapter.
- (3) Permitted uses allowed in the M-5 District and their related accessory uses and conditional uses allowed in the M-5 District and their related accessory uses may be located separately or together, and may be conducted separately or together, in the same principal building in the M-5 District; provided, however, that the area of a building occupied by a conditional use and any related accessory uses shall be a physically separate defined area in which any proposed new use of any kind (or any use of any kind existing as of the time when the conditional use permit for such conditional use or any amendment of such permit is approved) shall be allowed only pursuant to and in accordance with the conditional use permit issued for such conditional use under Article XVIII of this chapter.
- (4) Nonconforming uses existing in the M-5 District as of the effective date of Ordinance No. 13-\_\_\_ (\_\_\_ \_\_\_, 2013) and any related accessory uses existing as of such date may be continued in the same principal building **along** with other **existing agricultural related** uses; provided, however, that no nonconforming use and no accessory use to a nonconforming use may be extended or expanded into new areas, and no new accessory use related to such nonconforming use (and no prior accessory use to such nonconforming use that has been discontinued as an actively conducted use for a period of 12 or more consecutive months) may be commenced or recommenced, and further provided that the area of a building occupied by a nonconforming use and any related accessory uses shall be a physically separate defined area in which any proposed new use of any kind shall be prohibited.

H. **Accessory uses.**

- (1) Except as otherwise specifically provided in this chapter, accessory uses to principal uses allowed in the M-5 District are allowed, subject to Article IX and all other applicable provisions of this chapter and of other Village ordinances and codes, as follows:
  - (a) Accessory uses to principal permitted uses in the M-5 District are allowed.
  - (b) Accessory uses to principal conditional uses allowed in the M-5 District are allowed, but only pursuant to and in accordance with a conditional use permit issued under Article XVIII of this chapter.

- (2) New proposed accessory uses to nonconforming uses (and any prior accessory uses to a nonconforming use that have been discontinued as actively conducted uses for 12 or more consecutive months) are prohibited.
  - (3) In the event of any issue about whether a particular use is properly an accessory use, the Zoning Administrator shall have authority to decide. The Zoning Administrator shall make written findings to support any such decision.
- I. **Temporary Uses.** Temporary Uses may be allowed in the M-5 District pursuant to Section 140.1 of this chapter.
  - J. **Prohibited uses.** Uses that are not specifically allowed in the M-5 District by this chapter as specified in the forgoing sections are prohibited in the M-5 District. However, where a use is proposed for a purpose that is not specifically provided in Chapter 3 of the 2006 IBC and is not specifically listed as a prohibited use in the M-5, District regulations, such uses shall be classified in the group that the occupancy most clearly resembles, according to the fire safety and relative hazard involved. The Zoning Administrator shall make the final determination if the use is allowed within the M-5 District.
  - K. **Dimensional standards.** Except as specifically provided in this chapter, and without limitations, all uses, site, building and structures in the M-5 District shall comply with the following dimensional standards to the extent applicable.
    - (1) Lot size: two acres minimum, except that the minimum lot size for a freestanding commercial communication structure or a utility substation building shall be as prescribed by §420-148 of this chapter; and further provided that no minimum lot size shall be applicable to transmission lines.
    - (2) Lot frontage: Lot frontage on a public street: 150 feet minimum; however, that on a substantial curve or cul-de-sac, the public street frontage may be reduced as necessary to an absolute minimum of 100 feet if all other requirements are satisfied, except that the minimum lot frontage on a public street for a free standing communication structure or a utility substation building shall be as prescribed by §420-148 of this chapter, and further provided that no minimum lot frontage on a public street shall be applicable to transmission lines.
    - (3) Open space: 25% minimum.
    - (4) Building standards:
      - (a) Gross floor area: No maximum or minimum building area shall be required in the M-5 District due to the variety of uses within this district and the diverse building demands of each use.
      - (b) Principal Building Height: Principal building height: 60 feet maximum; however, the height of a principal building or part thereof may be increased to a maximum of 90 feet in height, provided that for every one foot above 60 feet, said principal structure shall be set back an additional 1.5 feet from all property lines.
      - (c) Accessory Building Height: 30 feet maximum.
      - (d) Setbacks. The following setbacks shall be considered to be minimum setbacks; greater setback may be required by State Building Codes.

- [i] Street setback: minimum of 65 feet from arterial streets or highways and a minimum of 40 feet from non-arterial streets or private roads for buildings.
- [ii] Shore setback: 75 feet minimum.
- [iii] Wetland setback: 25 feet minimum.
- [iv] Side setback: 45 feet minimum for all buildings.
- [v] Rear setback: 45 feet minimum for all buildings.
- [vi] Separation distance between all buildings: 45 feet minimum.

L. **Design standards.** Except as otherwise specifically provided in this chapter, and without limitation, all uses, sites, buildings and structures in the M-5 District shall comply with the following design standards to the extent applicable:

- (1) Number of principal structures per lot: no limit.
- (2) Number of detached accessory buildings: no limit.
- (3) Fences may be allowed pursuant to Section 420-81 however, chain-link fences shall be vinyl coated and the color shall be black, earth tones or complementary to the color of the building.
- (4) Dock doors shall not face a public street.
- (5) All accessory uses or structures shall be on the same lot or approved site as the principal use.
- (6) Principal building standards: All facades that are visible to and facing the public street and any portions of the building with office uses shall provide architectural details and elements such as but not limited to varying roof heights, varying fenestration and other appropriate architectural elements. In addition, the office area of the building shall have an appearance of two story building.
- (7) Principal office building standards (for standalone corporate, business, professional office buildings where no manufacturing, distribution and/or warehouse activities are conducted in the office building):
  - (a) Each principal office building shall have a minimum of two floors above grade.
  - (b) The gross floor area of a principal office building shall be a minimum of 24,000 square feet, and each of the first two floors above grade shall have a gross floor area of at least 10,000 square feet.
  - (c) The gross floor area for all auxiliary permitted uses within a principal office building shall not exceed 10% of the gross floor area of such building.
  - (d) ~~The gross floor area occupied by research, development and/or testing of products, and applied research activities, within a principal office building shall not exceed 25% of the gross floor area of such building.~~ Height: 30 feet minimum.
- (8) Site and operational plan requirements pursuant to Article IX of this chapter except as provided below:
  - (a) Buildings shall comply with the façade design requirements in this subsection. The Village Zoning Administrator shall have the discretion

to adjust the minimum glazed area percentages set forth below among various facades of a building so long as all facades, taken together, satisfy the minimum glazed area percentages (for example, any individual façade may be less than the minimum so long as one or more of the other facades exceeds the minimum such that the total glazed area for all facades equals or exceeds the minimum glazed area percentages): provided, however, that the glazing on the sides visible from the public streets or highways, outside the District shall not be less than stated minimum percentages.

- [i] Manufacturing. Buildings in which 60 percent or more of the gross floor area is used for manufacturing or directly related warehousing **and/or** distribution uses shall have a minimum glazed area (calculated on the basis of all building facades) of 10 percent.
- [ii] Office. Building(s) in which 40 percent or more of the gross floor area is used for business office or research and development used shall have a minimum glazed area (calculated on the basis of all building facades) of 25 percent.
- [iii] Parking garages. Parking garages shall have entry and exit stairwells and lobbies that are visible from the exterior, and any such areas visible from the exterior shall have a minimum glazed area of 25 percent.
- [iv] Utility Substations, Utility Substation Building. Utility substations **s** and Utility substation buildings **s** shall have no minimum glazing requirement.

(b) Construction materials. Principal buildings, accessory buildings, parking garages and any penthouse areas associated with such building or structure shall comply with the following requirements for construction materials:

- [i] Glazed area. The following requirements apply to all glazed areas:
  - (i) Glazed areas may be tinted or clear glass. Mirrored glass is prohibited.
  - (ii) Anodized or powder-coated aluminum curtain wall systems, storefront systems and accents are allowed.
  - (iii) Stainless steel, bronze or brass curtain wall systems. Storefront systems and accents are allowed.
  - (iv) Anodized or powder-coated aluminum metal panels or other metal panels are allowed if integral to window wall or curtain wall systems or if used for trim, soffits, canopy, sun protection systems or mechanical penthouses.
  - (v) Door frames. Door frames shall compliment window frames in material, finish and color.
  - (vi) Non-glazed area. The non-glazed areas of any building in this District shall comply with the standard in Subsection 420-57H(2)(g). ~~Notwithstanding the foregoing, Subsection 420-57H(2)(g)[1][e] shall not be~~

~~applicable, and Subsection 420-57H(2)(g)[1] shall be deemed to include, as part of the facing, all glazed areas and permit the construction materials used in connection with those glazed areas (set forth above). Furthermore, Subsection shall be deemed to allow Architectural Precast Concrete on all buildings if it satisfies the following definition: Any pre-cast concrete or aggregate unit or special or standard shape in which the color of the unit is made integral to the unit by adding the color/pigmentation during the concrete/aggregate mixing process.~~ Additionally, **Architectural Pre-Cast Concrete Panels** ~~the unit~~, through the application/addition or certain finishing elements (e.g. reveals, relief, and dimension), finish, shape, color or texture **shall** contribute to the architectural form, style and aesthetics or the structure. Architectural Pre-Cast Concrete may be structural (e/g/ load-bearing element) and/or decorative (e.g. building cladding), and may be conventionally reinforced or pre-stressed. Architectural Pre-Cast Concrete **panels shall** ~~does not result in a plain, blank walls and does not rely on factory pre-installation paint or stain and/or post installation paint or stain to achieve its color.~~

[ii] Roofs **(architectural features)**. Subsection 420-57H(2)(i) shall not apply. **Architectural** roof **features or** forms shall be copper or zinc-coated aluminum metal panels, or slate or architecturally painted metal panels

- (9) Parking, access and traffic requirements pursuant to Article VIII of this chapter.
- (10) Sign requirements pursuant to Article X of this chapter.
- (11) Fence requirements pursuant to Article XI of this chapter.
- (12) Each use, site, building and structure shall be designed, laid out, constructed and maintained in full compliance with the approved site and operational plan, any required conditional use permit, any required license and all other applicable provisions of this chapter and of all other Village ordinances and codes.

M. **Operational standards.** Except as otherwise specifically provided in this chapter, and without limitation, all uses, sites, buildings and structures in the M-5 District shall comply with the following operational standards to the extent applicable:

- (1) Hours of operation (when the public is allowed to enter or remain on site for business purposes):
  - (a) 5:00 a.m. to midnight maximum for corporate, business and professional office uses, and service or retail uses allowed as auxiliary permitted uses; for any day-care facilities, either for children or adults as may be allowed by a conditional use permit.
  - (b) All other uses: no limit.
- (2) Hours for deliveries, or any other activities outside the principal building (e.g., outside loading or unloading, the arrival of deliveries, idling of delivery trucks, beeping of backing vehicles, and garbage pickup), except for snow removal:

- (a) 6:00 a.m. to 10:00 p.m. maximum for corporate, business and professional office uses, and service or retail uses allowed as auxiliary permitted uses; for any day-care facilities, either for children or adults as may be allowed by a conditional use permit.
  - (b) All other uses: no limit.
  - (3) Except as otherwise specifically permitted by this chapter under a conditional use granted by the Village, all activities shall be conducted within a building.
  - (4) No on-site residential uses are allowed.
  - (5) Each use, site, building and structure shall comply with all applicable performance standards set forth in § 420-38 of this chapter.
  - (6) Each site, building and structure shall be maintained in a neat, presentable, aesthetically pleasing, structurally sound and nonhazardous condition. All litter and debris shall be promptly removed.
  - (7) Each use, site, building and structure shall be operated in full compliance with the approved site and operational plan, any required conditional use permit, any required license and all other applicable provisions of this chapter and of all other Village ordinances and codes.
- N. **Authorized sanitary sewer system.** See § 420-32 of this chapter.
- O. **Authorized water supply system.** See § 420-33 of this chapter.

**Adopted this \_\_\_\_ day of \_\_\_\_\_, 2013.**

VILLAGE OF PLEASANT PRAIRIE

\_\_\_\_\_  
John P. Steinbrink  
Village President

ATTEST:

\_\_\_\_\_  
Jane M. Romanowski  
Village Clerk

Posted: \_\_\_\_\_

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**ORDINANCE NO. 13-\_\_\_\_**

**ORDINANCE TO AMEND THE  
OF THE VILLAGE ZONING ORDINANCE  
RELATED TO THE M-5 DISTRICT  
IN THE VILLAGE OF PLEASANT PRAIRIE,  
KENOSHA COUNTY, WISCONSIN**

**THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE,  
KENOSHA COUNTY, WISCONSIN, DO ORDAIN THAT** Section 420-100 A (1) related to zoning districts established is hereby amended to add the reference to the M-5, Production Manufacturing District

**Adopted this \_\_\_\_ day of \_\_\_\_\_, 2013**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

\_\_\_\_\_  
John P. Steinbrink  
Village President

\_\_\_\_\_  
Jane M. Romanowski  
Village Clerk

Posted: \_\_\_\_\_

\_\_\_ - M5 added420-100.docx

**ORD. # 13-**

**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:**

1. Portions of the following properties generally located west of Green Bay Road and north of Springbrook Road within U. S. Public Land Survey Sections 27 and 34, Township 1 North, Range 22 East in the Village of Pleasant Prairie that are currently zoned M-2 (AGO), General Manufacturing District with a General Agricultural Overland District are hereby rezoned into the M-5, Production Manufacturing District: Tax Parcel Numbers 92-4-122-273-0156 owned by Citizens Bank of Mukwonago, 92-4-122-342-0100 owned by Rabin and Lynn LLC, 92-4-122-342-0300 owned by VPX Farm LLC and 92-4-122-331-0150 owned by Rabin and Lynn LLC. (See **Exhibit 1**)
2. Portions of the following properties generally located east of IH-94 between 110<sup>th</sup> Street and 122<sup>nd</sup> Street within U. S. Public Land Survey Sections 30 and 31, Township 1 North, Range 22 East in the Village of Pleasant Prairie that are currently zoned A-2, General Agricultural District are hereby rezoned into the M-5, Production Manufacturing District: Tax Parcel Numbers 92-4-122-303-0101, 92-4-122-304-0200, 92-4-122-311-0200, 92-4-122-312-0305 and 92-4-122-312-0310 owned by James G Hart and Delaine Farm Partners, 92-4-122-303-0300 owned by Ries Partners LP, 92-4-122-312-0100 owned by Otto H. Sprenger Trust Revocable Trust and 92-4-122-312-0150 owned by Kathleen Johnson. (See **Exhibit 2**)
3. Portions of the following properties generally located west of IH-94 at approximately 11300 block of 120<sup>th</sup> Avenue (West Frontage Road) within U. S. Public Land Survey Section 25, Township 1 North, Range 21 East in the Village of Pleasant Prairie that are currently zoned B-3, Regional Retail District or A-2, General Agricultural District are hereby rezoned into the M-5, Production Manufacturing District: Tax Parcel Numbers 91-4-121-254-0122, 91-4-121-254-0401 91-4-121-254-0406 and owned by Pleasant Prairie Community Development Authority and 91-4-121-254-0301 owned by Ries Partners LP. (See **Exhibit 3**)

Any portion of the above properties that are zoned C-1, Lowland Resource Conservancy District, C-2, Upland Resource Conservancy District, or FPO, Floodplain Overland District will remain unchanged.

The Village Zoning Administrator is hereby directed to record these Zoning Map Amendments on the appropriate sheets 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 \_\_\_ day of \_\_\_\_\_, 2013.**

**VILLAGE BOARD OF TRUSTEES**

ATTEST:

\_\_\_\_\_  
John P. Steinbrink  
Village President

\_\_\_\_\_  
Jane M. Romanowski  
Village Clerk

Posted: \_\_\_\_\_  
\_\_\_\_\_-M-5 rezonings .doc



**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION  
RESOLUTION #13-07**

**TO AMEND THE VILLAGE OF PLEASANT PRAIRIE, WISCONSIN  
2035 COMPREHENSIVE PLAN**

**WHEREAS**, on December 19, 2009 the Village Board adopted the *Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan* (Comprehensive Plan); and

**WHEREAS**, on March 11, 2013 the Village Plan Commission adopted Plan Commission Resolution #13-04 to initiate amendments to the Village 2035 Comprehensive Plan, the Village Zoning Ordinance and the Village Zoning Maps related to creating a new M-5, Manufacturing and Production Zoning District that would allow for specific manufacturing, production and office uses located on properties located on the periphery of the LakeView Corporation Park; and

**WHEREAS**, a new M-5, Production and Manufacturing District is proposed to be created and several properties are proposed to be rezoned into this new District with several amendments proposed to the Comprehensive Plan to ensure that the Comprehensive Plan and the Zoning Ordinance and Maps are consistent; and

**WHEREAS**, Chapter 1 (page 9) is proposed to be amended to include the land that was annexed into the Village by Land Transfer Ordinance #2 which was adopted by the Village Board on January 21, 2013 (Tax Parcel Numbers 91-4-121-254-0401 and 91-4-121-254-0406) in the Planning Area description of the text and Map 1.2 is proposed to be amended to show the area that was annexed into Pleasant Prairie within the Corporate boundaries of Pleasant Prairie as shown in **Exhibit A**; and

**WHEREAS**, Chapter 9 (page 407 and 408) is proposed to be amended to include a new manufacturing land use designation entitled: "Production Manufacturing" and a general description of the new designation as shown in **Exhibit B**; and

**WHEREAS**, the 2035 Land Use Plan Map 9.9 is proposed to be amended as follows:

1. The following properties generally located west of Green Bay Road and north of Springbrook Road and further identified as Tax Parcel Numbers 92-4-122-273-0156 owned by Citizens Bank of Mukwonago, 92-4-122-342-0100 owned by Rabin and Lynn LLC, 92-4-122-342-0300 owned by VPX Farm LLC and 92-4-122-331-0150 owned by Rabin and Lynn LLC that are currently located within a General Industrial land use designation with an Urban Reserve land use designation would be amended to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged (See **Exhibit C**).
2. The following properties generally located east of IH-94 between 110<sup>th</sup> Street and 122<sup>nd</sup> Street and further identified as Tax Parcel Numbers 92-4-122-303-0101, 92-4-122-304-0200, 92-4-122-311-0200, 92-4-122-312-0305 and 92-4-122-312-0310 owned by James G Hart and Delaine Farm Partners, 92-4-122-303-0300 owned by Ries Partners LP, 92-4-122-312-0100 owned by Otto H. Sprenger Trust Revocable Trust and 92-4-122-312-0150 owned by Kathleen Johnson that are currently located within Freeway-Oriented Regional Retail Centers land use designation with an Urban Reserve land use designation would be amended to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged. (See **Exhibit D**).

3. The following properties generally located west of IH-94 at approximately 11300 block of 120<sup>th</sup> Avenue (West Frontage Road) and further identified as Tax Parcel Numbers 91-4-121-254-0122, 91-4-121-254-0401 and 91-4-121-254-0406 and owned by Pleasant Prairie Community Development Authority, 91-4-121-254-0301 owned by Ries Partners LP that are currently located within Freeway-Oriented Regional Retail Centers land use designation would be amended to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged. (See **Exhibit E**); and

**WHEREAS**, Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan is proposed to amended to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

**WHEREAS**, on May 17, 2013 the required 30-day notice was published in the Kenosha News for the June 17, 2013 public hearing held by the Village Plan Commission and on May 17, 2013, notices were sent to property owners within 300 feet of the proposed land use map amendments to the Village 2035 Land Use Map; and

**WHEREAS**, on June 17, 2013 the Village Plan Commission held a public hearing; and

**NOW THEREFORE, BE IT RESOLVED**, that pursuant to Sections 62.23 (3) (b) and 66.1001 (4) (b) of the Wisconsin Statutes, the Village of Pleasant Prairie Plan Commission hereby approves the following amendments to the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan as presented at the September 13, 2010 public hearing and shown on **Exhibits A-E and to amend Appendix 10-3** of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the noted changes to the 2035 Land Use Plan Map 9.9.

**BE IT FURTHER RESOLVED** that the Plan Commission does hereby recommend that the Village Board enact the Ordinances adopting the amendments, as referenced above, to the *Village of Pleasant Prairie 2035 Comprehensive Plan*.

**Adopted this 17<sup>th</sup> day of June 2013.**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

\_\_\_\_\_  
Donald Hackbarth  
Secretary

\_\_\_\_\_  
Thomas W. Terwall  
Plan Commission Chairman

Date Posted: \_\_\_\_\_

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## RELATIONSHIP BETWEEN COUNTY AND LOCAL COMPREHENSIVE PLANS

The multi-jurisdictional comprehensive planning effort built on the land use and master plans and official maps prepared and adopted by cities, villages, and towns prior to the start of the planning process in mid-2006. Section 59.69(3) of the *Wisconsin Statutes* explicitly requires Kenosha County to “incorporate” into the County plan master plans and official maps that have been formally adopted by cities and villages. It is the County’s intent to also “incorporate” master plans and official maps that have been adopted by towns. While all such plans—cities, villages, and towns—will be “incorporated” into the Kenosha County plan document, it is recognized that Kenosha County, in preparing its plan and readying that plan for adoption by the County Board, may choose to disagree with one or more proposals included in the city, village, or town plans and in the Village may choose to disagree with one or more proposals in the County Plan. Every effort will be made to discuss and resolve issues between Kenosha County and the cities, villages, and towns. Where conflicts cannot be resolved, they will be documented in the intergovernmental cooperation element of the plan report. Kenosha County explicitly recognizes that cities, villages, and towns may choose to disagree with a position that the County may take on one or more issues. The County respects the rights of cities, villages, and towns to adopt plans that may differ from the County Plan.

## VILLAGE STRUCTURE

The Village Plan Commission and the Village Board had the primary responsibility for reviewing this Village Comprehensive Plan and all aspects of the multi-jurisdictional county plan that related to the Village. A draft of the Village Comprehensive Plan was prepared for review under the guidance of the Village Plan Commission and Village Board of Trustees. On December 14, 2009 the Village Plan Commission held a public hearing and recommended that the Village Board adopt this Comprehensive Plan pursuant to Resolution #09-08 as shown in Appendix 10-1. The Village Board reviewed this Plan and recommendations of the Village Plan Commission and on December 21, 2009 the Village Board adopted this Plan by Ordinance #09-59 as shown in Appendix 10-2 in accordance with the requirements of Section 66.1001 (4) of the *Wisconsin Statutes*.



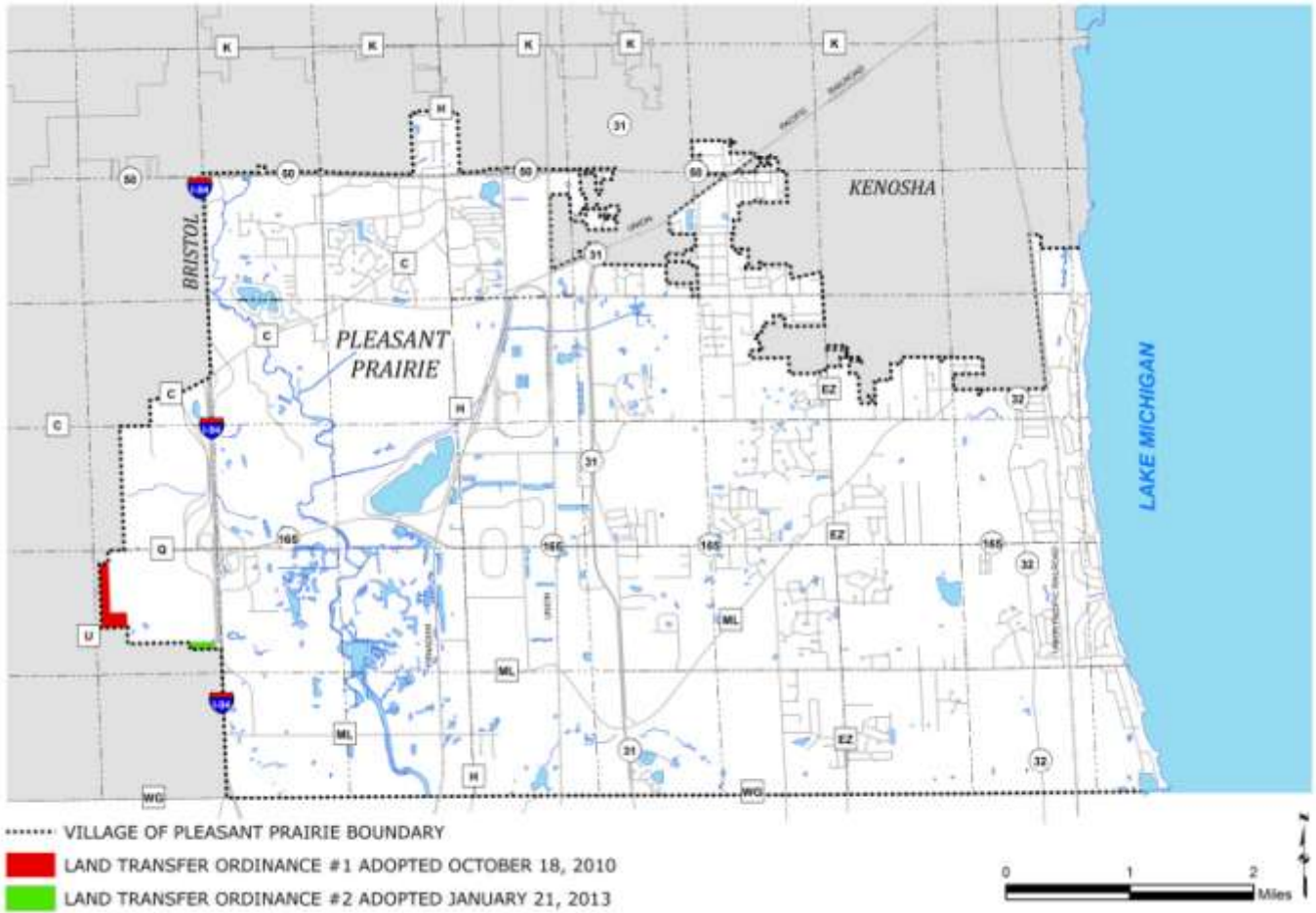
*Public Hearing held by the Plan Commission on  
December 14, 2009*

## THE PLANNING AREA

The planning area is comprised of the Village of Pleasant Prairie, which in 2009 encompasses a total of 33.6 square miles or 21,484.5 acres as shown on Map 1.2. In 2009, the Village of Pleasant Prairie is bordered by the City of Kenosha on the north, Town of Bristol on the west, Lake County in Illinois on the south, and Lake Michigan on the east. In 2010, the Town of Bristol incorporated into the Village of Bristol and on October 18, 2010 the Village of Pleasant Prairie Board of Trustees adopted Land Transfer Ordinance #1 for the land transfer of 35 acres from the Village of Bristol to the Village of Pleasant Prairie as identified on Map 1.2. **In 2013, the Prairie Board of Trustees adopted Land Transfer Ordinance #2 for the land transfer of approximately 9 acres from the Village of Bristol to the Village of Pleasant Prairie as identified on Map 1.2.**



**MAP 1.2  
VILLAGE OF PLEASANT PRAIRIE CORPORATE LIMITS: 2009**



Source: Village of Pleasant Prairie.

### *Freeway-Oriented Regional Service Centers*

Areas near freeway interchanges have become increasingly attractive for freeway-oriented service areas that provide for a cluster of hotel, restaurant, gasoline station and convenience stores uses to serve the needs of freeway travelers, the Business Park users as well as the entire community. The Plan anticipates a continued strong demand for regional service uses. These areas are indicated with an "F" within the commercial land use designation on the 2035 Land Use Plan Map 9.9.



*Freeway Service Area at STH 165 and I-94*

#### *BA-1 PDD-1 Business Areas 1 Sub-District*

The PDD-1 Plan indicates that areas near the northwest quadrant of the I-94 and STH 165 interchange are appropriate for the development of limited commercial development to support the needs of surrounding development including such uses as banks, offices, restaurants, medical facilities, transit facilities and other limited related auxiliary uses. These areas are indicated with a "BA-1" within the commercial land use designation on the 2035 Land Use Plan Map 9.9.

#### *BA-2 PDD-1 Business Areas 2 Sub-District*

The PDD-1 Plan indicates that areas near the northwest quadrant of the I-94 and STH 165 interchange are appropriate for the development of limited commercial development to support the needs of surrounding development including such uses as conference centers, hotels, restaurants, transit facilities, limited retail and other limited auxiliary uses. These areas are indicated with a "BA-2" within the commercial land use designation on the 2035 Land Use Plan Map 9.9.

#### *BA-3 PDD-1 Business Areas 3 Sub-District*

The PDD-1 Plan indicates that areas near the southwest quadrant of the I-94 and CTH C interchange are appropriate for the development of limited commercial development to support the needs of surrounding development including such uses as offices, conference centers, hotels, transit facilities and other limited auxiliary uses. These areas are indicated with a "BA-3" within the commercial land use designation on the 2035 Land Use Plan Map 9.9.

### **Industrial Lands**

Industrial lands occupy about 2,046 acres, or 10% of the Village, on the 2035 Land Use Plan Map 9.9. This category includes several distinct industrial areas as outlined below:

#### *Limited Industrial*

Limited Industrial areas are intended to provide for limited manufacturing, wholesaling, warehousing and related uses within an enclosed structure wherein no high hazard uses area allowed and the method of manufacturing is not injurious to the point of constituting a nuisance



to the occupants of adjacent properties by reason of the emission or creation of noise, vibration, smoke, dust or particle matters, toxic or noxious materials, odors, fire or explosive hazards, glare or heat and located in those areas where the relationship to surrounding land use would create few problems of compatibility. These areas are indicated with an “L” within the industrial land use designation on the 2035 Land Use Plan Map 9.9.

#### *General Industrial*

General Industrial areas are intended to provide for manufacturing, wholesaling, warehousing and related uses within and an enclosed structure in which high hazard uses are located within limited areas and the method of manufacturing is not injurious to the point of constituting a nuisance to the occupants of adjacent properties by reason of the emission or creation of noise, vibration, smoke, dust or particle matters, toxic or noxious materials, odors, fire or explosive hazards, glare or heat and located in those areas where the relationship to surrounding land use would create few problems of compatibility. In addition, office parks or individual office buildings and ancillary uses, which may or may not include space for manufacturing, assemblies, or warehousing, but provide direct services to the employees or customers or other uses in the area. It is anticipated that these areas would be developed in an attractive park-like setting with landscaping, consistent signage, and similar or compatible building materials and designed to present an integrated image to customers. These areas are indicated with a “G” within the industrial land use designation on the 2035 Land Use Plan Map 9.9.

#### ***Production and Manufacturing***

Production Manufacturing areas are intended to provide for manufacturing, assembly, office, and research and development uses with limited warehouse and distribution uses within an enclosed structure wherein no high hazard uses are allowed and the method of manufacturing is not injurious to the point of constituting a nuisance to the occupants of adjacent properties by reason of the emission or creation of noise, vibration, smoke, dust or particle matters, toxic or noxious materials, odors, fire or explosive hazards, glare or heat and located in those areas where the relationship to surrounding land uses would create few problems of compatibility. This District also allows for office parks or individual office buildings and ancillary uses, which may or may not include space for manufacturing, assemblies, or research and development, but provides direct services to the employees or customers or other uses in the area. It is anticipated that these areas would be developed in an attractive corporate park-like setting with landscaping, consistent signage, and similar or compatible building materials and designed to present an integrated image to customers. No such District shall be established unless it is in compliance with Village adopted or amended comprehensive, neighborhood and conceptual plans. These areas are indicated with a “P” within the industrial land use designation on the 2035 Land Use Plan Map 9.9.

#### *CA-PDD-1 Core Area Sub-District*

The PDD-1 Plan indicates that areas west of I-94, between CTH C and CTH Q for the specific development of Healthcare Business Office, Healthcare Pilot Manufacturing and Healthcare Research and Development. It is anticipated that these areas would be developed in an attractive park-like setting with landscaping, consistent signage, and similar or compatible building materials and designed to present an integrated image to customers. These areas are indicated with a “CA” within the industrial land use designation on the 2035 Land Use Plan Map 9.9.

#### ***Governmental and Institutional Lands***

Governmental and Institutional lands include governmental and institutional buildings and grounds for which the primary function involves administration, safety, solid water, assembly, or educational purposes. This includes public and private schools, government offices, police and fire stations, solid waste, recycling and compost facilities, libraries, cemeteries, religious

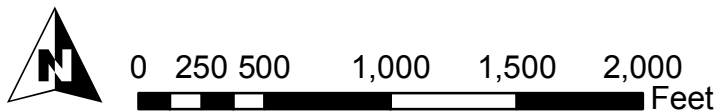
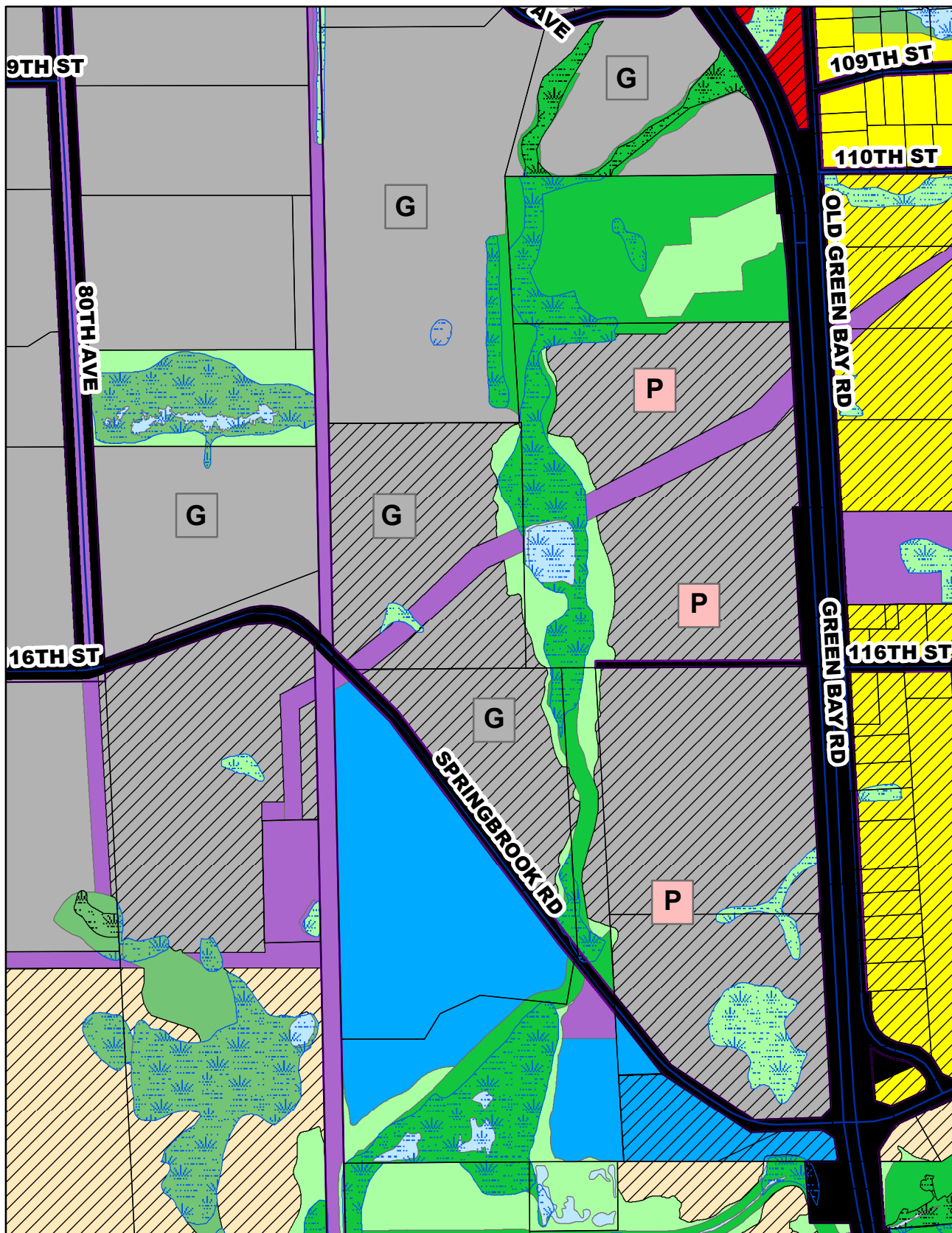




# Village of Pleasant Prairie portion of 2035 Land Use Plan

Exhibit C

**P** Changed from General Industrial (with an Urban Reserve land use designation) to the Production Manufacturing land use designation.

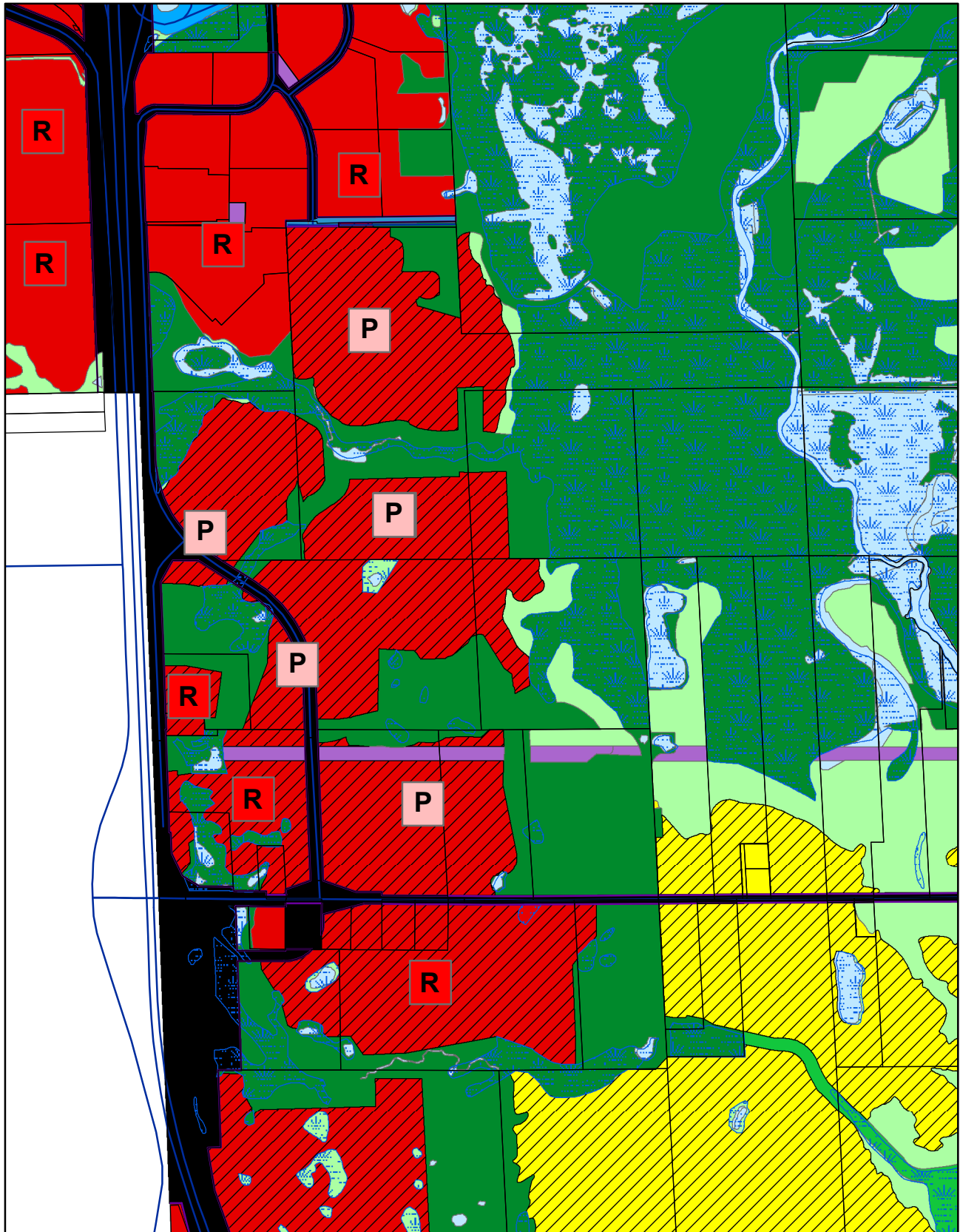


Source: Village of Pleasant Prairie  
May 2013

# Village of Pleasant Prairie portion of 2035 Land Use Plan

Exhibit D

**P** Changed from Freeway-Oriented Regional Retail with an Urban Reserve land use designation to the Production Manufacturing land use designation.



Source: Village of Pleasant Prairie  
May 2013

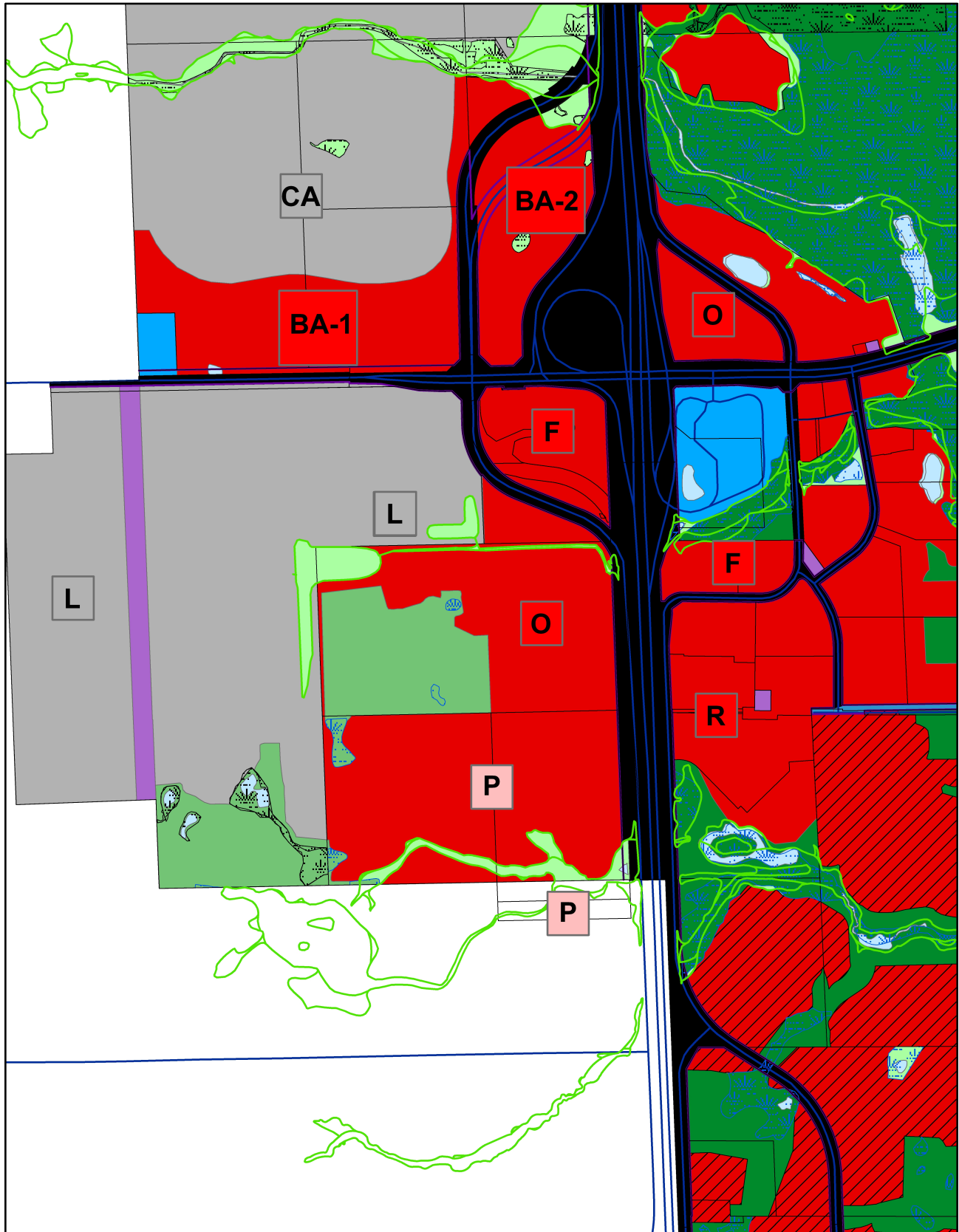




# Village of Pleasant Prairie portion of 2035 Land Use Plan

Exhibit E

**P** Changed from Freeway-Oriented Regional Retail land use designation to the Production Manufacturing land use designation.



Source: Village of Pleasant Prairie  
May 2013