

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39th AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
FEBRUARY 10, 2014**

AGENDA

1. Call to Order.
2. Roll Call.
3. Consider the minutes of the January 13, 2014 Plan Commission meeting.
4. Correspondence.
5. Citizen Comments.
6. New Business.
 - A. **PUBLIC HEARING AND CONSIDERATION APPROVAL OF PLAN COMMISSION RESOLUTION #14-02 FOR THE FOLLOWING COMPREHENSIVE PLAN AMENDMENTS: 1)** to amend the Lakeview West Neighborhood Plan 13 of Appendix 9-3 including a portion of the River Woods Neighborhood Plan 24 of Appendix 9-3 generally located between the 9300 block of 120th Avenue (East Frontage Road) to the Wisconsin/Illinois state line and east of I-94. The Neighborhood Plan(s) identify potential, land uses, road layouts, signal locations and access points for future industrial and commercial development along this portion east of the I-94: **2)** to amend the 2035 Land Use Plan Map 9.9 as follows:
 - a. Portions of Tax Parcel Number (TPN) 92-4-122-192-0100 owned by Robert and Judy Schaffer generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Park, Recreational and Other Open Space with an Urban Reserve Overlay land use designation are proposed to be changed to the Production Manufacturing with an Urban Reserve Overlay land use designation. All other land use designations on the properties will remain unchanged.
 - b. Portions of TPN 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority and TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Freeway Office Center land use designation are proposed to be changed to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged.
 - c. TPN 92-4-122-193-0161 owned by WisPark LLC generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is located within the Freeway Office Center land use designation is proposed to be changed to the Freeway-Oriented Service Center land use designation.
 - d. A portion of TPN 92-4-122-301-0200 owned by the Conservation Education LLC generally located west of the DesPlaines River south of 110th Street that is located within the Freeway-Oriented Regional Retail Center with an Urban Reserve Overlay land use designation is proposed to be located within the Park, Recreational and Other Open Space land use designation. All other land use designations on the property will remain unchanged.
 - e. Portions of TPN 92-4-122-303-0300 owned by Ries Partners LP, TPN 92-4-122-312-0305 owned by James G Hart and Delaine Farm Partners generally located along the 11600 block of 120th Avenue (East Frontage Road) that

are located within the Production Manufacturing or the Freeway-Oriented Regional Retail land use designations are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use designations. All other land use designations on the properties will remain unchanged.

- f. Portions of TPN 92-4-122-312-0250 owned by Donald Jr. and Elizabeth Camacho, TPN 92-4-122-312-0220 owned by Craig and Shannon Martin, TPN 92-4-122-312-0200 owned by Thomas and Kenneth King, TPN 92-4-122-312-0206 owned by the King's Motel of Pleasant Prairie, TPN 92-4-122-312-0210 owned by Refik and Idise Beshiri generally located between I-94 and 120th Avenue (East Frontage Road) north of CTH ML (122nd Street) that are located within the Freeway-Oriented Regional Retail Center land use designation are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use designations. The Urban Reserve Overlay Land use designation and all other land use designations on the properties will remain unchanged.
- g. Portions of TPN 92-4-122-313-0275 owned by Carl Coulson generally located at the southwest corner of CTH ML (122nd Street) and 120th Avenue (East Frontage Road) within the Freeway-Oriented Regional Retail land use designation is proposed to be located within the Freeway-Oriented Service Center with an Urban Reserve Overlay land use designation. All other land use designations on the property will remain unchanged.
- h. Portions of TPN 92-4-122-313-0200 owned by Allen Jr. and Michealene Day, TPN 92-4-122-313-0295 owned by Rae Pharr-Taylor and Marc James Taylor, TPN 92-4-122-313-0293 owned by Allen and Michealene Day, TPN 92-4-122-313-0290 owned by Garrett and Cindy Wood, TPN 92-4-122-313-0285 owned by Grace Drath, and TPN 92-4-122-313-0205 owned by Mark and Pat Kirschhoffer generally located south of CTH ML and east of 120th Avenue (East Frontage Road) that are located within the Freeway-Oriented Regional Retail land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the properties will remain unchanged.
- i. Portions of TPN 92-4-122-314-0200 owned by Sherri Chmielecki located at 11009 122nd Street that are within the Freeway-Oriented Regional Retail land use designation are proposed to be located within the Low Density Residential land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged.
- j. Portions of TPN 92-4-122-314-0100 owned by Carl E. Prymula Dec of Trust dated 4/8/98 and Charles E. Prymula generally located north of the Wisconsin/Illinois state line at the 11000 block that are located within the Low Density Residential land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged.
- k. Portions of TPN 92-4-122-313-0100 owned by Fossland Trust generally located north of the Wisconsin/Illinois state line and east of I-94 that are

located within the Freeway Office Center land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged; and

3) 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 OF A ZONING MAP AMENDMENTS** to rezone vacant land generally located north of STH 165 (104th Avenue) along 120th Avenue (East Frontage Road) to ensure that the Zoning Map and the Comprehensive Land Use Plan are consistent: **1)** portions of Tax Parcel Number (TPN) 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority that are currently zoned B-5, Freeway Office District are proposed to be rezoned into the M-5 Production Manufacturing District; **2)** portions of TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are currently zoned B-5 are proposed to be rezoned into the M-5; and **3)** TPN 92-4-122-193-0161 owned by WisPark LLC. generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is currently zoned B-5 is proposed to be rezoned into the B-4, Freeway Service Business District.
- C. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-03 FOR AMENDMENT #5 TO TAX INCREMENT DISTRICT #2 (TID 2)** related to: proposed amendments to the TID 2 Project Plan, including changes to the TID 2 boundary (through the addition of parcels); revisions to project expenses to complete infrastructure improvements; the provision of financial incentives for development of industry [to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans]; and the acquisition of properties and/or easements that are required for public improvements.
- D. Consider **Plan Commission Resolution #14-04** to initiate zoning text amendments related to Commercial Communication Structures.
- E. Consider **Plan Commission Resolution #14-05** to initiate amendments to the Village Comprehensive Plan and Zoning Ordinance (text and map) related to the A-1, Agricultural Preservation District.
- F. Consider **Plan Commission Resolution #14-06** to initiate a zoning text amendment related to traffic, parking and access provisions for building setbacks to fire lanes.
- G. Consider **Plan Commission Resolution #14-07** to initiate a zoning text amendment to clarify regulations related to 100-year floodplain boundary adjustments.

7. 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 39th Avenue, Pleasant Prairie, WI (262) 694-1400.

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
January 13, 2014**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on January 13, 2014. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; Jim Bandura; and Judy Juliana (Alternate #1). John Braig and Andrea Rode (Alternate #2) were excused. Also in attendance were Mike Pollocoff, Village Administrator; Jean Werbie-Harris, Community Development Director; Tom Shircel, Assistant Village Administrator and Peggy Herrick, Assistant Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE DECEMBER 9, 2013 PLAN COMMISSION MEETING.**

Don Hackbarth:

So moved.

Judy Juliana:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY JUDY JULIANA TO APPROVE THE MINUTES OF THE DECEMBER 9, 2013 PLAN COMMISSION MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

4. CORRESPONDENCE.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, we received some correspondence from the consultant for the Wisconsin DOT. The Wis 50 reconstruction project public informational meeting is set for Thursday, January 23, 2014 from 4:30 to 7 p.m. There will be a presentation at 5:15. The location is the Journey Church, 10700 75th Street in Kenosha. And, again, this is to present Wis DOT overview of the Wisconsin State Highway 50 project from just east of 116th Avenue in the Village of Pleasant Prairie to just west of 43rd Avenue in the City of Kenosha. And they'll be going over the design plans for the widening of the roadway from four to six lanes, the reconstruction improving intersections, implementing access management and providing improved access road connections.

Michael Serpe:

Is that still about seven years out? It is?

Mike Pollocoff:

I think 2022 is it.

5. CITIZEN COMMENTS.

Tom Terwall:

If you're here for an item that appears on the agenda as a matter for public hearing, we would ask that you hold your comments until the public hearing is held so we can include your comments as a part of the official record. However, if you're here for an item that is not a public hearing or you want to raise an issue that is not on the agenda, now would be your opportunity to speak. We'd ask you to step to the microphone and begin by giving your name and address. Is there anybody wishing to speak under citizens' comments?

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS for the request of Luke Nardi to operate a dispatching office for Regal Limousine and Forward Transport at the Truesdell Plaza 8531 75th Street, Unit B in Pleasant Prairie.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item A is the consideration of a conditional use permit including site and operational plans for the request of Luke Nardi to operate a dispatching office for Regal Limousine and Forward Transport at the Truesdell Plaza 8531 75th Street, Unit B in Pleasant Prairie.

Under the public hearing comments, as a part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request, and they're being presented and described below for you at this time.

Findings of Fact

1. The petitioner is requesting a Conditional Use Permit, including Site and Operational Plans, to operate a dispatching office for Regal Limousine and Forward Transport at the Truesdell Plaza 8531 75th Street, Unit B.
2. Regal Limousine is a local limousine service operating in Kenosha County since 1987, and Forward Transport is a medical transport company with contracts with the State of Wisconsin through MTM to provide non-emergency transportation for Title IXX recipients to and from medical appointments. The application is provided in your information as part of Exhibit 1.
3. The property is located in a part of the Northwest One Quarter of U.S. Public Land Survey Section 9, Township 1 North, Range 22 East of the Fourth Principal Meridian, in the Village of Pleasant Prairie, Wisconsin and further identified as Tax Parcel Number 91-4-122-092-0176.
4. The current zoning of the property is B-2 (PUD), Community Business District with a Planned Unit Development Overlay District, and a portion of the property in the rear is zoned C-1, Lowland Resource Conservancy District. The proposed uses are considered taxi services and the B-2 District requires a Conditional Use Permit be approval for taxi services.
5. Pursuant to the submitted Operational Plan, again, show as Exhibit #1, and again on the overhead you can also refer to it:
 - The office area is approximately 430 square feet, with an additional 320 square feet of storage space that is attached to the Truesdell Mini-Mart. The space would be primarily used as office space for the owner and one to two employees to dispatch, take phone reservations, schedule appointments and process billing and payroll.
 - The fleet of four luxury sedans/limousines and six minivans would be parked along the rear property line when not in use. Drivers would pick up the vehicles from the location and occasionally drop paperwork or customer payments off in the office. There will be little if any customer traffic, the medical transportation does all of its customer service via phone, and the limo service has one to two customers per year who prefer to make reservations in person.
 - There are currently two conventional spaces and one handicap space adjacent to the rear of the building which will be used for the use of the business. In addition, the petitioner proposes to allocate 12 additional spaces at the rear of the property along the existing curb for additional parking of his vehicle fleet.

- The office will be open Monday through Friday, 9:00 a.m. to 5:00 p.m. Drivers will come to the property to pick up vehicles at other times, depending on the scheduling needs. However, they will not access the interior office.
 - The office/management staff includes one to two salaried full-time and one to two hourly part-time staff. The drivers are paid by commission, rather than hourly, with approximately four to six equivalent to full-time and two to four part-time, depending on the volume of their business. There will be approximately six full-time and four part-time employees. Future hiring will be based on business growth. The petitioner anticipates hiring one more full-time dispatcher and one to two new drivers in the future.
 - On-site there will be only one shift during operating hours, with one to two staff in the office during that time. The remainder of the employees depending on the business volume will be driving off-site. Therefore, the average number of employees on-site is usually two with a maximum of five if multiple drivers happen to be dropping off payment or paperwork at the same time.
 - Anticipated average number of automobile trips to and from the site is about 40, and that includes drivers arriving for work and leaving at the end of the day. The maximum expected is approximately 50. There will be no anticipated truck trips to and from the location.
 - Security cameras and a recording system through ADT to monitor the office and the fleet will be provided. The cameras will be mounted outside to monitor the fleet in the rear parking area as well as inside to monitor the interior office.
6. The petitioner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on December 19, 2013 of this hearing. Public hearing notices were also published in the *Kenosha News* on December 30, 2013 and January 6, 2014. The petitioner was mailed a copy and the property owner was emailed a copy of this memorandum on January 10, 2014.
7. According to the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials that the project as planned will not violate the intent and purpose of the ordinance and it meets the minimum standards for granting of a Conditional Use Permit. In addition, the Plan Commission shall not approve any site and operational plan without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements as well as federal, State, County or other local requirements.

With that I'd like to continue the public hearing and introduce the petitioner to comment on his application.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak? Anybody wishing to speak? Yes, sir?

Lucas Nardi:

Hi, I'm Lucas Nardi. I own Regal Limousine and Forward Transport. I live at 9804 8th Avenue, and the business is currently located in Kenosha. And I'd like to move it out to Truesdell as per the plan that put forth.

Tom Terwall:

Okay, are you anticipating that once you move do you think your business size will remain the same as it is now?

Lucas Nardi:

I believe it will, yes. The limousine has not increased or decreased in the amount of volume over the last five years that I've owned it. The medical transport has remained -- I've added on two new vans over the last couple months. But that's the maximum I see being added on over the next few years.

Tom Terwall:

Okay, thank you. You're available for questions if there are any, correct?

Lucas Nardi:

Yes.

Tom Terwall:

Thank you. Is there anybody else wishing to speak? Anybody else wishing to speak? Anybody else wishing to speak? Hearing none I'll open it up to comments and questions from Commissioners and staff. Don?

Don Hackbarth:

The only question I have is do you have enough spaces for the people coming in with their car to drop it off and then pick up the limousine?

Lucas Nardi:

Yes, as the drivers come in they pull the vehicle they're going to be using for the day out, and they park their vehicle in the same exact spot.

Michael Serpe:

Are you licensed by the State as well?

Lucas Nardi:

Yes.

Michael Serpe:

Are you required to undergo any safety inspection?

Lucas Nardi:

Yes, the drivers, the office has to be inspected. Every vehicle has to be inspected. Drivers have to complete defense driving, first aid, CPR, I have to put them through drug testing once per year, random drug testing when necessary. As far as the limousine side all my drivers are cross-trained so all that encompasses both the medical and the limousine. I have the vehicles inspected by the MCM which is a brokerage for the State. And the limousine side I have inspected on a monthly basis through my own mechanic.

Michael Serpe:

Good, thank you.

Tom Terwall:

Anybody else?

John Steinbrink, Jr.:

Jean, a question regarding the security cameras. Every once in a while we see security camera coverage on television, and it's the lousiest. I mean you can tell that there's a vehicle or something there but not much more. Is the quality of the camera that we require provide sharp enough detail that you can actually see and recognize faces and license plates and things like that?

Jean Werbie-Harris:

The cameras that they have onsite need to meet the minimum resolution requirements of the Village's security ordinance that's on file with the Village. So we don't direct which cameras for them to use, but we direct specifically what the resolution is and that it has to be able to see the vehicles, the plates and a number of things in the evening as well. Many of the new cameras that are going in are infrared, most of them are, unless they're looking to keep additional lighting on all night long. I'm not sure, but that information is spelled out in the security ordinance.

John Braig:

Thank you.

Tom Terwall:

Anybody else?

Michael Serpe:

I move approval of the conditional use permit and the site and operational plan.

Tom Terwall:

Is there a second?

John Braig:

Second.

Wayne Koessl:

Subject to conditions by staff?

Tom Terwall:

YES. IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY JOHN BRAIG TO APPROVE THE CONDITIONAL USE PERMIT INCLUDING THE SITE AND OPERATIONAL PLAN SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you.

B. PUBLIC HEARING AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #12-10 AND TO AMEND THE SETTLEMENT AGREEMENT RELATED TO THE SAMPLING AND ANALYTICAL TESTING PLAN for the BP Amoco gasoline station and convenience store located at 10477 120th Avenue at the request of Attorney J. Michael McTernan agent for VIDHYA Corp, VIII, Inc., the property owners.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item B is a public hearing and consideration of an amendment to conditional use permit 12-10 and an amendment to the settlement agreement related to the sampling and analytical testing plan for the BP Amoco

gasoline station and convenience store located at 10477 120th Avenue. This comes at the request of Attorney J. Michael McTernan, agent for VIDHYA corp, the property owner.

As part of the public hearing comments and as part of the public hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request as presented and described below.

Under findings of fact for the background information:

1. The petitioner is requesting the following approvals for the BP Amoco gasoline and convenience store located at 10477 120th Avenue, known as Lot 14 of CSM or Certified Survey Map 1489 located in a part of U.S. Public Land Survey Section 30, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-302-0130:
 - a. Specifically, a conditional use permit amendment is being requested that would allow BP Amoco to continue to operate the gasoline station and the convenience store with the approval of the settlement agreement amendment number 2 which addresses the request for a modified analytical test parameters, modified discharge water standards and modified reporting requirements of the carbon treatment system that will treat existing contaminated ground water from several reported hazardous substance releases at the site located at 10477 120th Avenue.
2. VIDHYA Corp, VIII, Inc. is the current owner of a property located at 10477 120th Avenue, with the following Tax Parcel number: 92-4-122-302-0130. The property contains the BP Amoco gasoline station #3789 and convenience store.
3. The property is zoned B-4, PUD Freeway Service Business District with a Planned Unit Development Overlay, and a gasoline station requires a Conditional Use Permit in the B-4 District as well as any modifications to that initial conditional use permit.
4. VIDHYA received several Village approvals for the referenced property. Recently a conditional use permit granted by the Village Plan Commission on July 16, 2012 included the requirement that VIDHYA and the Village parties enter into a settlement agreement to address remedial actions and activities for stopping illicit discharges from the property. The settlement agreement Exhibit #1 was executed by the parties on November 19, 2012. Amendment number 1 to the settlement agreement dated April 1, 2013 was also approved subject to the May 28, 2013 Plan Commission amended CUP approval. The findings of fact which detail the May 28, 2013 Plan Commission meeting staff comments, chronology of events, historical details and actions taken for the property are all documented as Exhibit Number 2 attached to this memorandum.

So what I'm prepared to say is Items Number 5 in the findings of fact that includes a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s have all been read into the record a number of times before, are included as a part of the record this evening. If anyone would like me to read any of those documents or those paragraphs in I can, but otherwise you do have that information, and all of that is still on the record from previous hearings and will be included as common knowledge for everyone here at the hearing this evening.

Also, Item Number 6 was also read into the record previously, and that specifically addresses that there are certain obligations that VIDHYA had under the original conditional use permit and the settlement agreement, and that compliance was required by certain dates. And now that brings us to the new information starting on page 5 of the information that you have before you, and that's Item Number 7.

7. On December 9, 2013, VIDHYA submitted a written request to amend the Conditional Use Permit and modify the referenced Settlement Agreement entered into by the Village and VIDHYA dated November 19, 2012 and the subsequent Settlement Agreement Amendment #1 dated April 1, 2013, now with Settlement Agreement Amendment #2.
8. Drake Environmental Consulting Group and the Village Engineer have reviewed the proposed Amendments to Exhibit B – Sampling and Analytical Testing Plan, of the April 1, 2013 Settlement Agreement between the Village and VIDHYA. Three changes that were proposed by VIDHYA to the requirements in the Sampling and Analytical Testing Plan include:
 1. Analytical Test Parameters;
 2. Discharge Water Standards; and
 3. Reporting Requirements.

Analytical test parameter proposed changes, and I guess maybe I'm going to defer -- Mike do you want to go over these for me please?

Mike Spence:

Regarding the analytical test parameter proposed changes, VIDHYA had requested that monthly influent and affluent testing be done for the following parameters. PVOC plus naphthalene, PAHs and total lead. That's both for influent and affluent. The testing that had been done started out as weekly testing, and then it's now recommended the testing to do monthly testing. And we agree that the reduced monthly testing would be permitted as long as the analytical results are within or below the preventative action limits for the various parameters.

However, the Wisconsin Department of Natural Resources has indicated that -- well, first of all, VIDHYA has to have a discharge permit. It's called a WPDES permit, Wisconsin Pollution Discharge Elimination System Permit. They got that permit last year to discharge that treated water. That particular permit never included any parameters for lead. We suspect what happened at the time that the original environmental consultants applied did not indicate that there were any lead issues, so there was never any limit for lead either for sampling or discharge documented. So based on my discussions with the DNR since that point they have agreed that obviously with what we have been finding in the discharge that lead should be monitored. So they are going to be changing their discharge permit to include affluent monitoring and testing for lead.

The standards for lead will be 50 micrograms per liter per day daily maximum, and then there will also be a weekly average limit of 18.24 micrograms per liter. This is higher than the original preventative action limits that the Village had agreed to or that the owner had agreed to in the

permit. But we believe that we need to be consistent with the DNR, and in my discussions with our environmental engineer we feel comfortable that those limits will be acceptable.

And then I just talked about the discharge standards again. Those new standards will become in effect when the DNR modifies their permit. I talked to them last week, and that's pending. So they will be changing their permit to include lead. Regarding reporting requirements, we're going to agree to monthly permitting. I have been receiving weekly permits from the owners' environmental consultant. These weekly reports summarize an inspection that they're doing every week. And then they've also been giving me their affluent sampling results as well. So we believe that those limits will be acceptable.

The other thing that I need to mention as part of this amendment 2 to the settlement agreement, because there had been some violations or exceedances of the lead in the past the owner has agreed to install additional treatment in the system at the gas station. The new treatment will be on the left figure there up towards the top -- or I'm sorry up toward the right. There's filters that are going to be installed. And that will, if you will, polish the last amount of lead that's in the system. So the limit that the DNR is applying I think they will be able to meet that, and the lead discharges should be below enforcement standards.

And in the amendment number 2 we are specifying that they need to have this system installed by February 28th. And I have worked with the owner and the owner's rep, and they have indicated that there should be no issues with installing that additional treatment. Finally, as also indicated in your packet the exhibit I think it's number 4 the owner, again, has indicated that they will abide by -- or I should say Exhibit 3 that they will abide by the DNR requirements for sampling and the affluent limits. So with that I'd be glad to answer any questions you have.

Michael Serpe:

I'm just curious, Mike, when and how did the DNR become involved in this? They weren't involved when this thing first broke, but now all of a sudden we're hearing them as a part of their report.

Mike Spence:

It took a lot of phone calls from me. And the individual that we're working with has been very good once we got them on board and he realized that there was an issue.

Wayne Koessl:

Through the Chair to Mike, I have three questions, Mike. One, what happens if the DNR requirements aren't met?

Mike Spence:

If the DNR requirements aren't met then in effect they would be having an illicit discharge and we would fine them at the rate that's in our ordinance. The way our ordinance is written is you're only allowed to either discharge storm water, or if they have an approved permit from an agency

at that limit. So, yeah, if they exceed the limits that are going to be put in the permit they would be fined for illicit discharges.

Wayne Koessler:

And another item. Do you ever see the discharging ending out there?

Mike Spence:

Excuse me?

Wayne Koessler:

Do you ever see the discharge ever going to end out there?

Mike Spence:

It's going to be a real long time. I think the owners' environmental consultant, their legal counsel, this is a tremendous problem. I mean the underlying, the site, there's contamination from quite a while ago. As a matter of fact the latest report that I received from the consultant they've already treated just this past year 374,000 gallons. So at some point I think that the amount of contaminants will decrease. It's just going to take time.

Wayne Koessler:

And last one, Mike. What is the neighbors' reaction out there? Are they still smelling that discharge, or is it still running along the ditch into the Des Plaines or what?

Mike Spence:

We actually have Rich from Culver's is here tonight. I have had conversations with him. One of his major concerns is that the ditch when they did some sampling last year never got fully restored. It is my understanding that that will happen this year. One of the things that's still outstanding from the original agreement is they have to do a site investigation and a remediation of the soils out there. And they submitted a plan to us, but DJ Burns from Drake and myself did not act on it because they still had some discharges that had lead in it. So once that we feel comfortable that they've consistently not discharged anything else then the plan is for them to go in there and determine what's been contaminated. Then they'll take that soil out in the ditch and restore it.

Wayne Koessler:

The last question is do we have anything as part of the agreement that they are going to do that?

Mike Spence:

That's part of the original agreement.

Wayne Koessl:

Okay, as usual they're just not doing what they agreed to. Okay.

Michael Serpe:

Mike, I don't mean to pin you down, but based from our last time we met with BP or with this to now the level of cooperation has been what?

Mike Spence:

I think the level of cooperation has increased. They did have an issue originally with the environmental consultant that they were working with. And I don't want to get into why that was, but there's Northern Environmental and Alpha Terra are both involved now, and they've been good about getting information to us in a timely manner.

Tom Terwall:

Mike, if this new agreement is going to allow for monthly testing how do you address the issue where the State is saying they want a weekly average limit not to exceed 18.24? Can they do that testing monthly and still meet the weekly average?

Mike Spence:

Yes. In my discussions with the DNR because I had asked them about that, I said, well, how is that going to work? And in the permit he's going to stipulate, so in other words if they take one sample in a month, and I'm not exactly sure if this is how it's going to turn out, but they will divide that by four for four weeks in a month. And if it's above that limit then they would have a problem. But the DNR is working on a parameter so that will be identified.

Tom Terwall:

Thank you.

Mike Spence:

One other thing, I'm sorry. I wanted to mention that we have put in the agreement as well that as part of the Village's monitoring of the whole situation that Drake Consulting Group will continue to monitor as needed out there until we feel comfortable that the system is working as proposed. So it's basically compliance monitoring. So we'll be monitoring initially I think twice a month, so we'll be a little more frequent than the owner.

Don Hackbarth:

Quick question. Do we monitor all gas stations like this, or is this a unique situation?

Mike Spence:

This is a unique situation. This is the only one that we're currently monitoring.

Michael Serpe:

If we've done this already I don't remember. Do we know the amount of contamination on Culver's property?

Mike Spence:

That is something that we'll be looking at as part of the site remediation this spring.

Wayne Koessl:

Through the Chair to Jean. Jean, can we make the site remediation a kind of priority this spring as part of this?

Jean Werbie-Harris:

Certainly.

Mike Spence:

We can, we can.

Wayne Koessl:

I think for the benefit of the other property owners out there I think that should be a priority as soon as the weather permits instead of leaving it drag on and drag on. And I would like that added as part of this agreement.

John Braig:

Maybe not so much a question as a comment. This has been an incredibly expensive situation for the Village and without a doubt for VIDHYA Corporation, too. I would hope like heck somewhere we've learned something from it. I've got no ideas but somehow we've got to prevent this from ever happening again.

Tom Terwall:

Jean?

Jean Werbie-Harris:

Yes, I'd like to read just the last three or four additional findings of fact into the record and then open it up or continue our public hearing here.

9. Regarding the requested reconsideration of Village Code violations related to lead, it is the Village's position that the violations are the result of exceedances that were stipulated and agreed to by the owner in the original settlement agreement. Until such time those limits are changed by the Wisconsin Department of Natural Resources and agreed to by the owner and the Village they shall remain in effect.
10. The petitioner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on December 19, 2013 of this hearing. Public hearing notices were also published in the *Kenosha News* on December 30, 2013 and January 6, 2014. The petitioner was mailed a copy and the property owner was emailed a copy and the property owner was emailed a copy of this memorandum on January 10, 2014.
11. According to the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application, the related materials and the information presented this evening that the project as planned will not violate the intent and purpose of all Village Ordinance and meets the minimum standards for granting of an amended Conditional Use Permit. Furthermore, the Plan Commission shall not approve any site and operational plan application, which again this is part of that, without finding in the decision that the application, coupled with satisfactions of conditions of approval that it meets all the federal, State or local requirements.

And, finally, one other fact I just wanted to bring to your attention. On May 28th of last year the Plan Commission had approved basically a conditional use permit for one year. And so the conditional use permit for this property will expire on June 1, 2014. So a new conditional use permit application or extension will need to be applied for. And this matter will be back before the Plan Commission on May 12th. This is a reminder to the Plan Commission and to the petitioner. So hopefully all of these issues will be done and resolved by that time. With that I'd like to continue the public hearing.

Tom Terwall:

This is a matter for public hearing. Is there anybody else wishing to speak? Mr. McTernan?

Michael McTernan:

Attorney Michael McTernan, 6633 Green Bay Road, Kenosha, Wisconsin. I'm here to answer any questions. So are my clients here. And I appreciate your willingness to continue to work with us. And obviously DJ and Mike have been instrumental in working with our consultants to yet again tackle something we've discovered and come up with a solution that can protect the interest of our property and the Village. So thank you.

Tom Terwall:

Is there anybody else wishing to speak? Anybody else? One last time. Is there anybody else wishing to speak? Hearing none I'm going to close the public hearing and open it up for other questions from Commissioners or entertain a motion.

Michael Serpe:

Wayne, you want to include yours?

Wayne Koessl:

I thought that would be part of the agreement that the remediation would be done as soon as the weather permits this spring. Is that going to be included, Jean, in this agreement, the remediation for the property owners to the east along that ditch?

Jean Werbie-Harris:

I think when it's determined that there is no additional contamination found, Mike, DJ?

Wayne Koessl:

That may be never.

Mike Spence:

I think the provision for the additional treatment will greatly reduce the possibility of further lead discharge to the ditch. And so what that means is then we can proceed with the remediation. Because the reason why we held it up is because if there was still an ongoing discharge that could affect the area that we were trying to remediate. So once they install that additional treatment I feel comfortable that they can go out there and they go tests to see where the soil contamination is and then remediate it.

Wayne Koessl:

Through the Chair to Mike again, then we should have that documentation for the May 12th meeting to see if it's all ready to go?

Mike Spence:

Yes.

Wayne Koessl:

Alright, good, because that would be the renewal of the CUP again. If that's not there that's not going to be done.

Tom Terwall:

So we need a motion to conditionally approve --

Don Hackbarth:

Mr. Chairman, I'll excuse myself.

Tom Terwall:

I need a motion to conditionally approve the settlement agreement and the conditional use permit subject to the terms and conditions outlined in the staff memorandum including tonight's comments.

Wayne Koessl:

I would approve that, Chairman, subject to tonight's comments.

Tom Terwall:

Is there a second?

Jim Bandura:

Second.

Tom Terwall:

It's been moved by Wayne Koessl and seconded by Jim Bandura to conditionally -- yes, Jean?

Jean Werbie-Harris:

Just to clarify, the Plan Commission would be approving the amendment of the conditional use and approving -- and recommending approval of the settlement agreement. The settlement agreement actually goes onto the Village Board.

Tom Terwall:

THAT'S THE MOTION, CORRECT. WE HAVE A MOTION BY WAYNE KOESSL AND A SECOND BY JIM BANDURA THEN. WE HAVE A MOTION AND A SECOND TO CONDITIONALLY APPROVE THE AMENDED CONDITIONAL USE PERMIT INCLUDING THE SETTLEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM AND THE COMMENTS MADE FOR THE RECORD THIS EVENING. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Now we need a second motion to send a favorable recommendation to the Village Board to approve the settlement agreement amendment.

Wayne Koessl:

So moved, Chairman.

Michael Serpe:

Second.

Tom Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY MIKE SERPE TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD FOR THE SETTLEMENT AGREEMENT AMENDMENT NUMBER 2 INCLUDING THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM AND THE COMMENTS MADE THIS EVENING. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

C. Consider Plan Commission Resolution #14-01 to initiate a zoning text amendment related to fences.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, Item C is to consider the Plan Commission Resolution 14-01 to initiate a zoning text amendment related to fences. Resolution 14-01, the Plan Commission may initiate a petition for the amendment of the zoning ordinance which may include rezoning of property, change in zoning district boundaries or changes in the text of the ordinance. The Village staff is proposing to re-evaluate the Village's fencing requirements regarding the placement of the good side of a fence to face the neighboring property.

The Plan Commission hereby initiates and petitions to re-evaluate and amend the fencing regulations. The proposed changes in the zoning text are hereby referred to the staff for study and recommendation. The Plan Commission is not by this resolution making any determination regarding the merits of the proposed changes, but is rather only initiating the process by which the proposed changes can be promptly evaluated and then presented back to the Plan Commission for public hearing. The staff recommends approval of the resolution.

Don Hackbarth:

Move approval.

Wayne Koessler:

Second.

Tom Terwall:

MOVED BY DON HACKBARTH AND SECONDED BY WAYNE KOESSL TO ADOPT RESOLUTION 14-01. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. ADJOURN.

John Braig:

Move adjournment.

Michael Serpe:

Second.

Tom Terwall:

Yes?

Jean Werbie-Harris:

I just have one thing. There are no items currently for the second meeting of January. So unless something comes up in the next day or two the next meeting we'll have will be the second Monday of February which is February 10th.

Tom Terwall:

All in favor of the motion to adjourn signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? We stand adjourned.

Meeting Adjourned: 6:42 p.m.

VILLAGE STAFF REPORT OF FEBRUARY 10, 2014

A. **PUBLIC HEARING AND CONSIDERATION APPROVAL OF PLAN COMMISSION RESOLUTION #14-02 FOR THE FOLLOWING COMPREHENSIVE PLAN AMENDMENTS:**

1) to amend the Lakeview West Neighborhood Plan 13 of Appendix 9-3 including a portion of the River Woods Neighborhood Plan 24 of Appendix 9-3 generally located between the 9300 block of 120th Avenue (East Frontage Road) to the Wisconsin/Illinois state line and east of I-94. The Neighborhood Plan(s) identify potential, land uses, road layouts, signal locations and access points for future industrial and commercial development along this portion east of the I-94;

2) to amend the 2035 Land Use Plan Map 9.9 as follows:

- a. Portions of Tax Parcel Number (TPN) 92-4-122-192-0100 owned by Robert and Judy Schaffer generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Park, Recreational and Other Open Space with an Urban Reserve Overlay land use designation are proposed to be changed to the Production Manufacturing with an Urban Reserve Overlay land use designation. All other land use designations on the properties will remain unchanged.
- b. Portions of TPN 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority and TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Freeway Office Center land use designation are proposed to be changed to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged.
- c. TPN 92-4-122-193-0161 owned by WisPark LLC generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is located within the Freeway Office Center land use designation is proposed to be changed to the Freeway-Oriented Service Center land use designation.
- d. A portion of TPN 92-4-122-301-0200 owned by the Conservation Education LLC generally located west of the DesPlaines River south of 110th Street that is located within the Freeway-Oriented Regional Retail Center with an Urban Reserve Overlay land use designation is proposed to be located within the Park, Recreational and Other Open Space land use designation. All other land use designations on the property will remain unchanged.
- e. Portions of TPN 92-4-122-303-0300 owned by Ries Partners LP, TPN 92-4-122-312-0305 owned by James G Hart and Delaine Farm Partners generally located along the 11600 block of 120th Avenue (East Frontage Road) that are located within the Production Manufacturing or the Freeway-Oriented Regional Retail land use designations are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use designations. All other land use designations on the properties will remain unchanged.
- f. Portions of TPN 92-4-122-312-0250 owned by Donald Jr. and Elizabeth Camacho, TPN 92-4-122-312-0220 owned by Craig and Shannon Martin, TPN 92-4-122-312-0200 owned by Thomas and Kenneth King, TPN 92-4-122-312-0206 owned by the King's Motel of Pleasant Prairie, TPN 92-4-122-312-0210 owned by Refik and Idise Beshiri generally located between I-94 and 120th Avenue (East Frontage Road) north of CTH ML (122nd Street) that are located within the Freeway-Oriented Regional Retail Center land use designation are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use

designations. The Urban Reserve Overlay Land use designation and all other land use designations on the properties will remain unchanged.

- g. Portions of TPN 92-4-122-313-0275 owned by Carl Coulson generally located at the southwest corner of CTH ML (122nd Street) and 120th Avenue (East Frontage Road) within the Freeway-Oriented Regional Retail land use designation is proposed to be located within the Freeway-Oriented Service Center with an Urban Reserve Overlay land use designation. All other land use designations on the property will remain unchanged.
 - h. Portions of TPN 92-4-122-313-0200 owned by Allen Jr. and Michealene Day, TPN 92-4-122-313-0295 owned by Rae Pharr-Taylor and Marc James Taylor, TPN 92-4-122-313-0293 owned by Allen and Michealene Day, TPN 92-4-122-313-0290 owned by Garrett and Cindy Wood, TPN 92-4-122-313-0285 owned by Grace Drath, and TPN 92-4-122-313-0205 owned by Mark and Pat Kirschhoffer generally located south of CTH ML and east of 120th Avenue (East Frontage Road) that are located within the Freeway-Oriented Regional Retail land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the properties will remain unchanged.
 - i. Portions of TPN 92-4-122-314-0200 owned by Sherri Chmielecki located at 11009 122nd Street that are within the Freeway-Oriented Regional Retail land use designation are proposed to be located within the Low Density Residential land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged.
 - j. Portions of TPN 92-4-122-314-0100 owned by Carl E. Prymula Dec of Trust dated 4/8/98 and Charles E. Prymula generally located north of the Wisconsin/Illinois state line at the 11000 block that are located within the Low Density Residential land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged.
 - k. Portions of TPN 92-4-122-313-0100 owned by Fossland Trust generally located north of the Wisconsin/Illinois state line and east of I-94 that are located within the Freeway Office Center land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged; and
- 3)** 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 #14-02 as presented and send a favorable recommendation to the Village Board to approve the Comprehensive Plan Amendments.

VILLAGE STAFF REPORT OF FEBRUARY 10, 2014

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 (text and map) 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.

On June 17, 2013 the Village Board approved amendments to the Comprehensive Plan and the Village Zoning Ordinance (Ord. # 13-21, Ord. #13-22 and Ord. #13-24) related to the new M-5, Production Manufacturing District.

The new M-5 Zoning District reflects an enhancement of the Village's public policy of sound and diversified economic development to promote job creation. The new M-5 District serves to enhance and encourage production, manufacturing, and office related employment as the primary uses in this District. The M-5 District also encourages and promotes more intensive land uses which in turn promotes greater employment opportunities in proximity to I-94.

During the Plan Commission public hearings regarding these Ordinance amendments, the staff indicated that a TIA was being completed for the area east of I-94 and that a Neighborhood Plan would be presented for this area upon its completion. Therefore, the following amendments to the Comprehensive Plan being considered at tonight's meeting:

1. To amend the Lakeview West Neighborhood Plan 13 of Appendix 9-3 including a portion of the River Woods Neighborhood Plan 24 of Appendix 9-3 generally located between the 9300 block of 120th Avenue (East Frontage Road) to the Wisconsin/Illinois state line and east of I-94. The Neighborhood Plan(s) identify potential, land uses, road layouts, signal locations and access points for future industrial and commercial development along this portion east of the I-94 as described in **Plan Commission Resolution #14-02** and as shown on **Maps 1 and 2 of Resolution #14-02**.
2. To amend the 2035 Land Use Plan Map 9.9 as follows:
 - a. Portions of Tax Parcel Number (TPN) 92-4-122-192-0100 owned by Robert and Judy Schaffer generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Park, Recreational and Other Open Space with an Urban Reserve Overlay land use designation are proposed to be changed to the Production Manufacturing with an Urban Reserve Overlay land use designation. All other land use designations on the properties will remain unchanged as shown on **Map 3 of Resolution #14-02**.
 - b. Portions of TPN 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority and TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Freeway Office Center land use designation are proposed to be changed to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged as shown on **Map 3 of Resolution #14-02**.
 - c. TPN 92-4-122-193-0161 owned by WisPark LLC generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is located within the Freeway Office Center land use designation is proposed to be changed to the Freeway-Oriented Service Center land use designation as shown on **Map 3 of Resolution #14-02**.

- d. A portion of TPN 92-4-122-301-0200 owned by the Conservation Education LLC generally located west of the DesPlaines River south of 110th Street that is located within the Freeway-Oriented Regional Retail Center with an Urban Reserve Overlay land use designation is proposed to be located within the Park, Recreational and Other Open Space land use designation. All other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02.**
- e. Portions of TPN 92-4-122-303-0300 owned by Ries Partners LP, TPN 92-4-122-312-0305 owned by James G Hart and Delaine Farm Partners generally located along the 11600 block of 120th Avenue (East Frontage Road) that are located within the Production Manufacturing or the Freeway-Oriented Regional Retail land use designations are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use designations. All other land use designations on the properties will remain unchanged as shown on **Map 4 of Resolution #14-02.**
- f. Portions of TPN 92-4-122-312-0250 owned by Donald Jr. and Elizabeth Camacho, TPN 92-4-122-312-0220 owned by Craig and Shannon Martin, TPN 92-4-122-312-0200 owned by Thomas and Kenneth King, TPN 92-4-122-312-0206 owned by the King's Motel of Pleasant Prairie, TPN 92-4-122-312-0210 owned by Refik and Idise Beshiri generally located between I-94 and 120th Avenue (East Frontage Road) north of CTH ML (122nd Street) that are located within the Freeway-Oriented Regional Retail Center land use designation are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use designations. The Urban Reserve Overlay Land use designation and all other land use designations on the properties will remain unchanged as shown on **Map 4 of Resolution #14-02.**
- g. Portions of TPN 92-4-122-313-0275 owned by Carl Coulson generally located at the southwest corner of CTH ML (122nd Street) and 120th Avenue (East Frontage Road) within the Freeway-Oriented Regional Retail land use designation is proposed to be located within the Freeway-Oriented Service Center with an Urban Reserve Overlay land use designation. All other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02.**
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- i. Portions of TPN 92-4-122-314-0200 owned by Sherri Chmielecki located at 11009 122nd Street that are within the Freeway-Oriented Regional Retail land use designation are proposed to be located within the Low Density Residential land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02.**
- j. Portions of TPN 92-4-122-314-0100 owned by Carl E. Prymula Dec of Trust dated 4/8/98 and Charles E. Prymula generally located north of the Wisconsin/Illinois state line at the 11000 block that are located within the Low Density Residential

land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02**.

k. Portions of TPN 92-4-122-313-0100 owned by Fossland Trust generally located north of the Wisconsin/Illinois state line and east of I-94 that are located within the Freeway Office Center land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02**.

3. 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 #14-02** as presented and send a favorable recommendation to the Village Board to approve the Comprehensive Plan Amendments.

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION
RESOLUTION #14-02
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, on June 17, 2013 the Village Board approved amendments to the Comprehensive Plan and the Village Zoning Ordinance (Ord. # 13-21, Ord. #13-22 and Ord. #13-24) related to the new M-5, Production Manufacturing District; and

WHEREAS, the new M-5 Zoning District reflects an enhancement of the Village's public policy of sound and diversified economic development to promote job creation. The new M-5 District serves to enhance and encourage production, manufacturing, and office related employment as the primary uses. The M-5 District also encourages and promotes more intensive land uses which in turn promotes greater employment opportunities in proximity to I-94; and

WHEREAS, during the Plan Commission public hearings regarding these Ordinance amendments, the staff indicated that a TIA was being completed for the area east of I-94 and that a Neighborhood Plan would be presented for this area upon its completion; and

WHEREAS, the following amendments to the Comprehensive Plan include:

1. To amend the Lakeview West Neighborhood Plan 13 of Appendix 9-3 including a portion of the River Woods Neighborhood Plan 24 of Appendix 9-3 generally located between the 9300 block of 120th Avenue (East Frontage Road) to the Wisconsin/Illinois state line and east of I-94. The Neighborhood Plan(s) identify potential, land uses, road layouts, signal locations and access points for future industrial and commercial development along this portion east of the I-94 as described in **Exhibit 1** and as shown on **Maps 1 and 2**.
2. To amend the 2035 Land Use Plan Map 9.9 as follows:
 - a. Portions of Tax Parcel Number (TPN) 92-4-122-192-0100 owned by Robert and Judy Schaffer generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Park, Recreational and Other Open Space with an Urban Reserve Overlay land use designation are proposed to be changed to the Production Manufacturing with an Urban Reserve Overlay land use designation. All other land use designations on the properties will remain unchanged as shown on **Map 3**.
 - b. Portions of TPN 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority and TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Freeway Office Center land use designation are proposed to be changed to the Production Manufacturing land

use designation. All other land use designations on the properties will remain unchanged as shown on **Map 3**.

- c. TPN 92-4-122-193-0161 owned by WisPark LLC generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is located within the Freeway Office Center land use designation is proposed to be changed to the Freeway-Oriented Service Center land use designation as shown on **Map 3**.
- d. A portion of TPN 92-4-122-301-0200 owned by the Conservation Education LLC generally located west of the DesPlaines River south of 110th Street that is located within the Freeway-Oriented Regional Retail Center with an Urban Reserve Overlay land use designation is proposed to be located within the Park, Recreational and Other Open Space land use designation. All other land use designations on the property will remain unchanged as shown on **Map 4**.
- e. Portions of TPN 92-4-122-303-0300 owned by Ries Partners LP, TPN 92-4-122-312-0305 owned by James G Hart and Delaine Farm Partners generally located along the 11600 block of 120th Avenue (East Frontage Road) that are located within the Production Manufacturing or the Freeway-Oriented Regional Retail land use designations are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use designations. All other land use designations on the properties will remain unchanged as shown on **Map 4**.
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- i. Portions of TPN 92-4-122-314-0200 owned by Sherri Chmielecki located at 11009 122nd Street that are within the Freeway-Oriented Regional Retail land use designation are proposed to be located within the Low Density Residential land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4**.
 - j. Portions of TPN 92-4-122-314-0100 owned by Carl E. Prymula Dec of Trust dated 4/8/98 and Charles E. Prymula generally located north of the Wisconsin/Illinois state line at the 11000 block that are located within the Low Density Residential land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4**.
 - k. Portions of TPN 92-4-122-313-0100 owned by Fossland Trust generally located north of the Wisconsin/Illinois state line and east of I-94 that are located within the Freeway Office Center land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4**.
3. 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.

WHEREAS, on February 10, 2014 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 February 10, 2014 public hearing and shown on **Exhibit 1** including Maps 1, 2, 3 and 4 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 10th day of February 2014.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

 Thomas W. Terwall
 Plan Commission Chairman

 Donald Hackbarth
 Secretary
 Date Posted: _____

02-Comp Plan Amendments--RiverView

EXHIBIT 1

Neighborhood Plan 13 of Appendix 9-3

LakeView West Neighborhood

LakeView West Neighborhood is a special purpose planning district in that there are no residential land uses proposed. ~~A Neighborhood Plan for a portion of LakeView West Neighborhood has been prepared.~~ A majority of the land within the LakeView West Neighborhood is part of the LakeView Corporate Park developed in the late 1980s as part of TID District #1 as discussed in the Economic Development Element (Chapter 8), **and portions of this land are also located within TID District #2.**

~~In addition, the~~ **The** revised I-94 Neighborhood Plan ~~also includes~~ **included** a portion of the LakeView West Neighborhood that was adopted by the Plan Commission on August 27, 2001 by Resolution #01-14 and the Village Board adopted a Resolution of support on September 17, 2001 by Resolution #01-56. **On February ____, 2014, the Village Board adopted Ord. #14-__ for the entire LakeView West Neighborhood and a portion of the River Woods Neighborhood as shown on Map 1.**

The LakeView West Neighborhood is located on the east side of I-94 between the 9500 block of 120th Avenue (East Frontage Road) south of CTH C and the 11600 block of 120th Avenue (north of 122nd Street) in the Village and a portion of the River Woods Neighborhood described below and shown on the LakeView West Neighborhood Plan is for the area on the south of the LakeView West Neighborhood to the Wisconsin/Illinois state line.

The Neighborhood Plan illustrates the following:

COMMERCIAL AREA: Land near the I-94 and 104th Street (STH 165) is proposed to continue to develop within the following land use designations as shown on Map 1: Freeway-Oriented Service Commercial Areas, Freeway Office Centers or Freeway-Oriented Regional Retail areas. An area at I-94 and 122nd Street is also identified as Freeway-Oriented Service Commercial Areas

INDUSTRIAL AREA: As you move away from the STH 165/I-94 Interchange the lands are identified as Production Manufacturing Industrial land uses.

GOVERNMENT/INSTITUTIONAL AREA: Approximately 19 acres (2%) located at the southeast corner of STH 165 and IH-94 is currently developed as the State of Wisconsin Visitors Center.

RESIDENTIAL AREA: No residential development is proposed within the Neighborhood Plan.

OPEN SPACE: Wetlands, floodplain, woodlands and environmental corridors are proposed to be preserved as practicable. Any removal of environmental features will require approval from appropriate environmental agencies having jurisdiction. Prior to consideration of any development plans, the wetland areas shall be field verified by a certified biologist in accordance with the Village, State and Federal wetland regulations and the floodplain areas shall be field verified in accordance with the Village, State and Federal floodplain regulations.

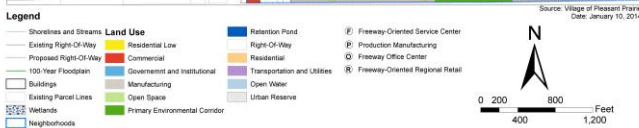
DETENTION/RETENTION AREAS: Prior to consideration of any development plans, the developer's engineer will be required to evaluate the development site, based on actual field conditions and shall present storm water

management facility plans which meets the Village requirements for Village review.

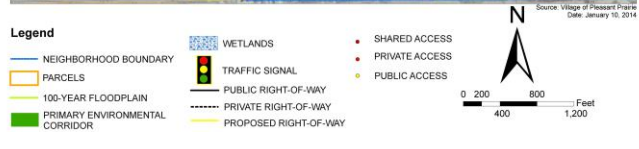
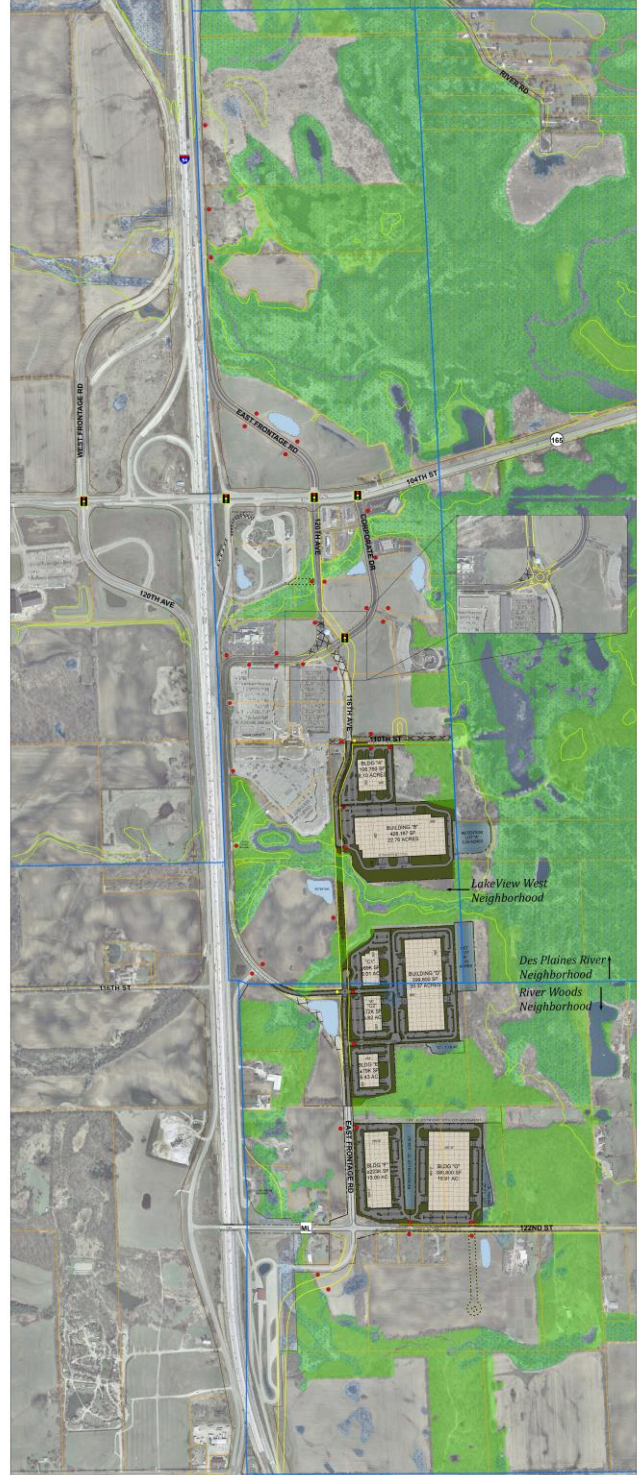
ACCESS TO LOCAL ARTERIALS AND COUNTY AND STATE HIGHWAYS: The Neighborhood Plan indicates the access and roadway layout and further shown on Map 2. The access is based on the Traffic Impact Analysis prepared for this area with guidance from the Access Management Plan for the I-94 frontage roads. The roadways will be constructed in accordance with the Village and/or State specifications for commercial and industrial roadways. At the time that any portion of the neighborhood is proposed to be developed, proper access permits will need to be obtained from the Wisconsin Department of Transportation or Kenosha County (if applicable) prior to final Village approval.

Neighborhood Plan Map 13
LakeView West Neighborhood (a portion of)
~~Adopted by Plan Commission Resolution #01-14 and Village Board Resolution #01-56~~
Adopted by Plan Commission Resolution #14-02 and by the Village Board as Ord. #14-___ on February ____, 2014

LakeView West Neighborhood and portion of River Woods Neighborhood Plan Map #1



LakeView West Neighborhood and portion of River Woods Neighborhood Plan Map #2



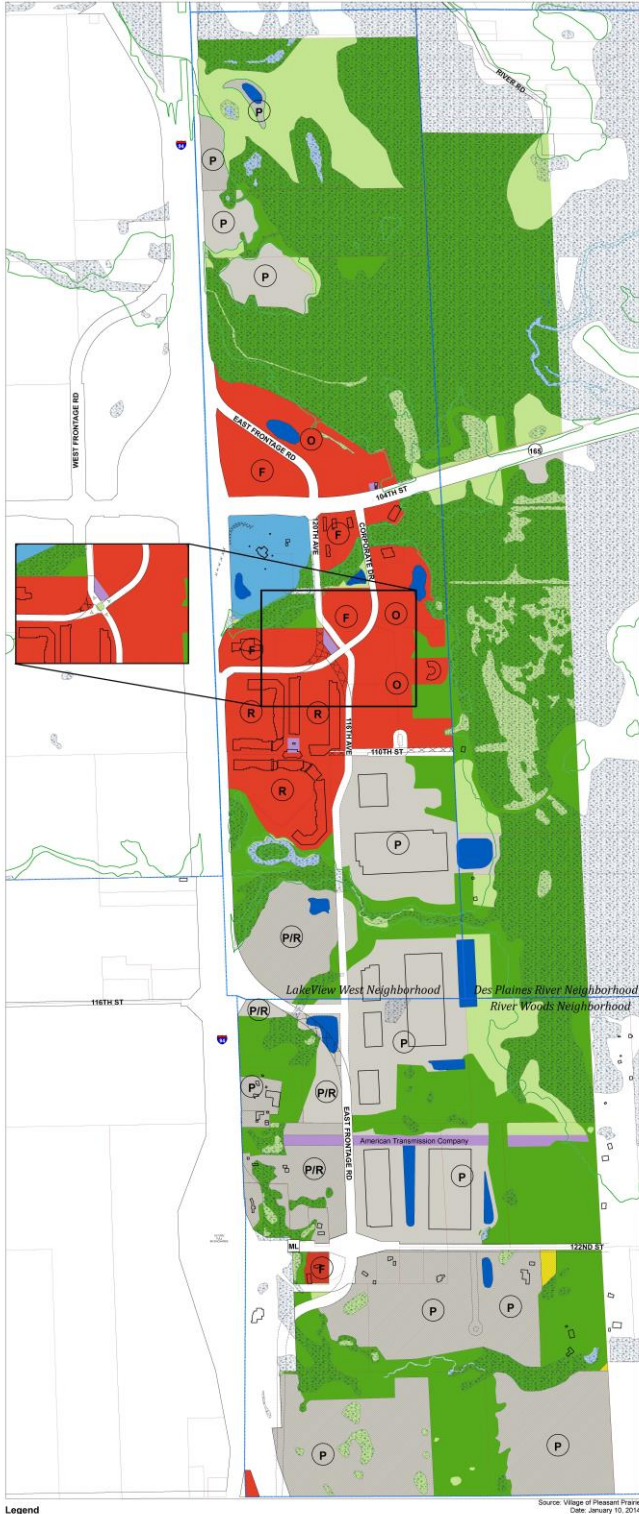
Neighborhood Plan 25 of Appendix 9-3

River Woods Neighborhood

A Neighborhood Plan for the **entire** River Woods Neighborhood has not been prepared. **A Neighborhood Plan for a portion of River Woods Neighborhood has been prepared.** A majority of this neighborhood is within a Primary Environmental Corridor and part of the Des Plaines River Floodplain. Pursuant to the 2035 Land Use Plan as shown on Map 9.9 in the Land Use Element (Chapter 9) land adjacent to CTH ML and I-94 interchange and the west side of the neighborhood would development with Regional and Freeway oriented commercial development **and Production Manufacturing development** with land to the east being developed as residential. The Commercial land within this neighborhood would not develop until there is ~~a full interchange at CTH ML and I-94 and~~ full urban services are available to the area. **The LakeView West Neighborhood Plan also includes a portion of the River Woods Neighborhood that was adopted by the Village Board on February ____, 2014 by Ord. #14-__.**

Nearby Neighborhood Plan Map 25
River Woods Neighborhood (a portion of)
Adopted by Plan Commission Resolution #14-02 and by the Village Board as Ord. #14-___ on February ____, 2014

LakeView West Neighborhood and portion of River Woods Neighborhood Plan Map #1



LakeView West Neighborhood and portion of River Woods Neighborhood Plan Map #2



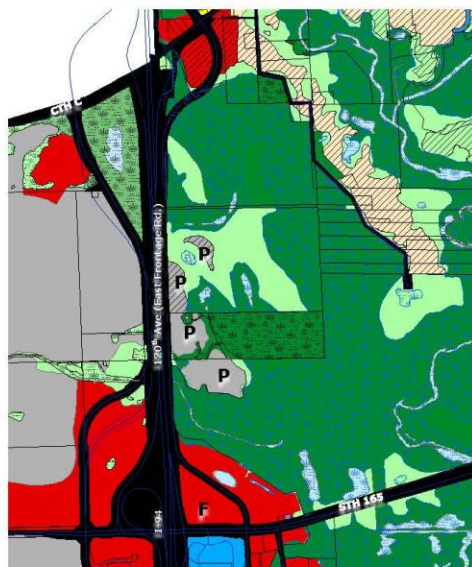
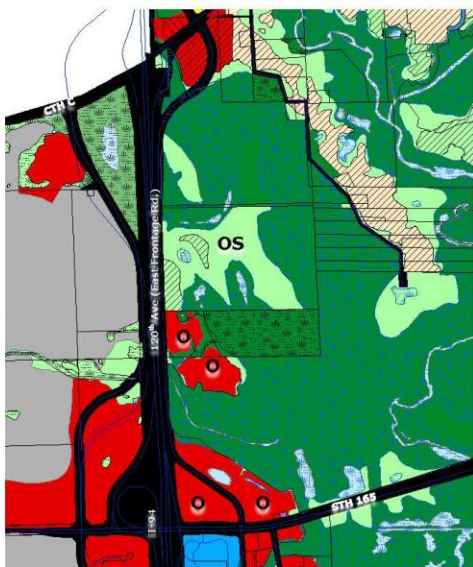
VILLAGE OF PLEASANT PRAIRIE
Portion of 2035 Land Use Plan

Map 3

- F: Freeway Oriented Service Center with an Urban Reserve Overlay Designation
- O: Freeway Office Center
- P: Production Manufacturing
- OS: Park, Recreation and Other Open Space Lands
- Cross-hatched area: Urban Reserve Overlay

Existing Land Use Map

Proposed Land Use Map Amendments



Source: Village of Pleasant Prairie
January 10, 2014

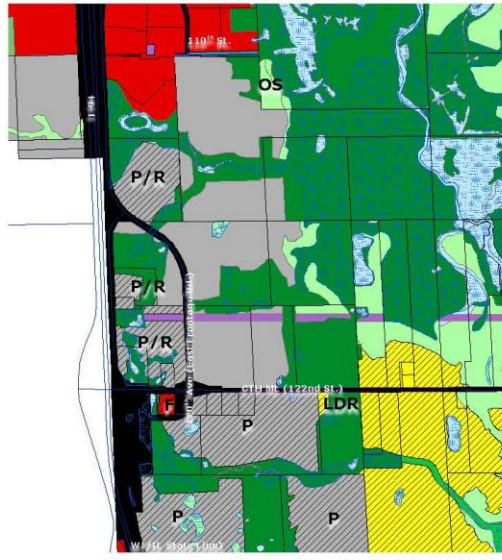
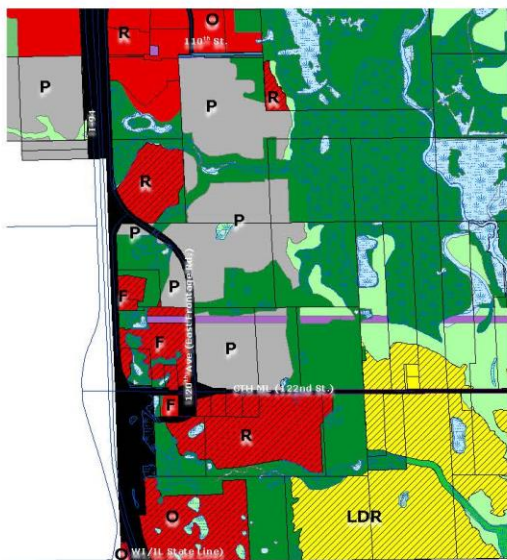
VILLAGE OF PLEASANT PRAIRIE
Portion of 2035 Land Use Plan

Map 4

- F: Freeway Oriented Service Center with an Urban Reserve Overlay Designation
- R: Freeway-Oriented Regional Retail
- O: Freeway Office Center
- P: Production Manufacturing
- OS: Park, Recreation and Other Open Space Lands
- LDR: Low Density Residential
- Cross-hatched area: Urban Reserve Overlay

Existing Land Use Map

Proposed Land Use Map Amendments



Source: Village of Pleasant Prairie
January 10, 2014

ORD. # 13-21

ORDINANCE TO AMEND
THE VILLAGE OF PLEASANT PRAIRIE, WISCONSIN
2035 COMPREHENSIVE PLAN
PURSUANT TO CHAPTER 390 OF THE
VILLAGE MUNICIPAL CODE

BE IT ORDAINED by the Village of Pleasant Prairie Board of Trustees, Kenosha County, Wisconsin, that the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan is hereby amended as follows:

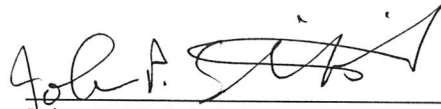
1. To amend Chapter 1 (page 9) to include the land that was annexed into the Village by Land Transfer Ordinance #2 adopted by the Village Board on January 21, 2013 (Tax Parcel Numbers 91-4-121-254-0401 and 91-4-121-254-0406) in the Planning Area description and to amend Map 1.2 to show the area that was annexed into Pleasant Prairie within the Corporate boundaries of Pleasant Prairie as shown in **Exhibit A**.
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 as shown in **Exhibit B**.
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 are changed to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged (See **Exhibit C**).
 - b. The following properties generally located east of IH-94 between 110th Street and 122nd 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, 92-4-122-312-0100 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 are changed to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged. (See **Exhibit D**).
 - c. The following properties generally located west of IH-94 at approximately 11300 block of 120th 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 are changed to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged. (See **Exhibit E**); and
4. To amend 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 as shown in **Exhibits C, D and E**).

The Village Community Development Director is hereby directed to record these Amendments to the Comprehensive Plan on the appropriate pages of said Plan and to update Appendix A in Chapter 390 of the Village Municipal Code to include said amendments.

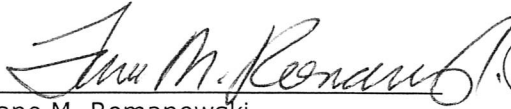
Adopted this 17th day of June, 2013.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:



John P. Steinbrink,
Village President



Jane M. Romanowski
Village Clerk

Ayes: 5 Nays: 0 Absent: 0

Posted: 6-20-13

Ord #13-21 M-5 Comp Plan Amend.doc

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*.



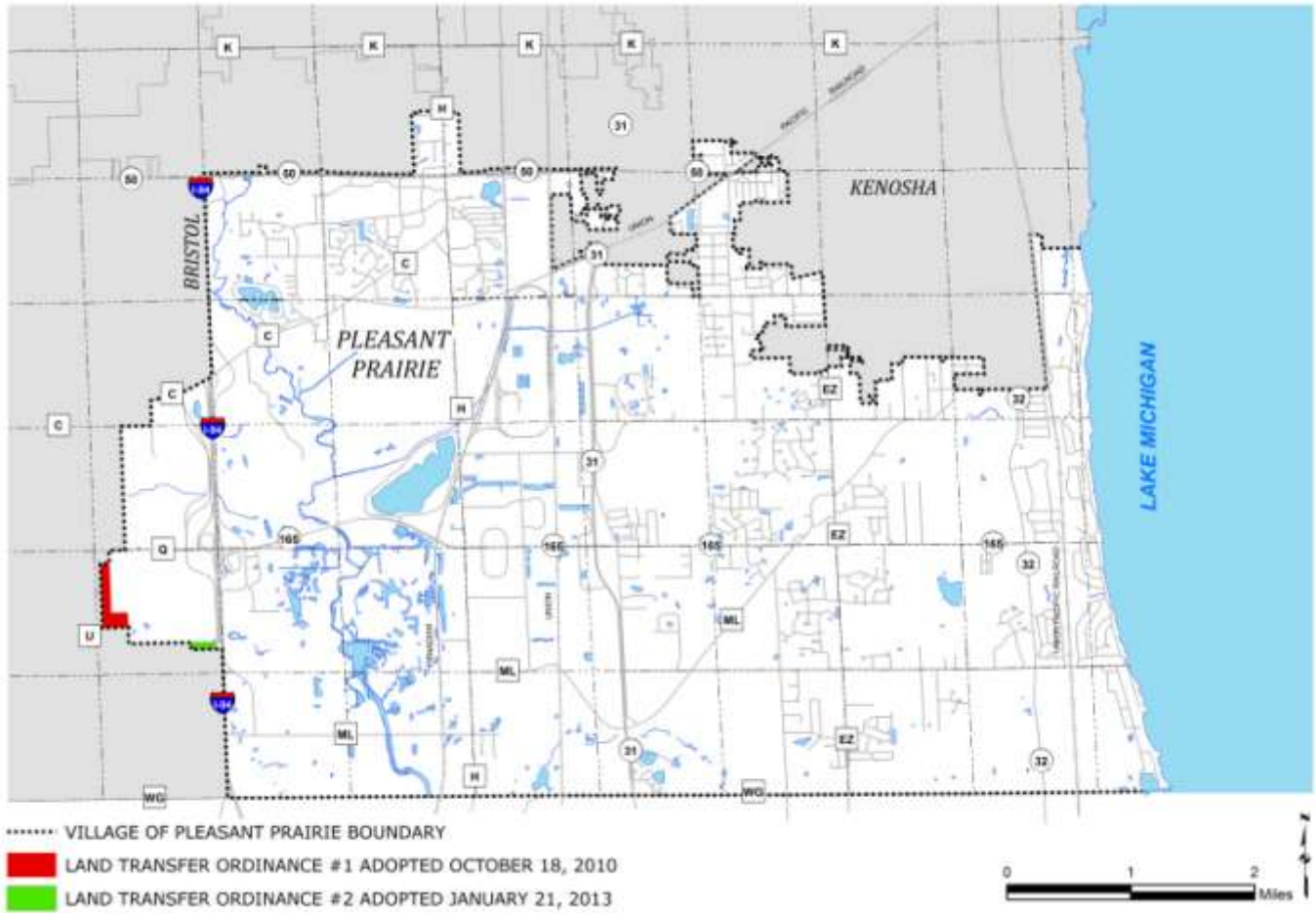
*Public Hearing held by the Plan Commission on
December 14, 2009*

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

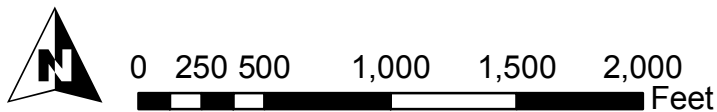
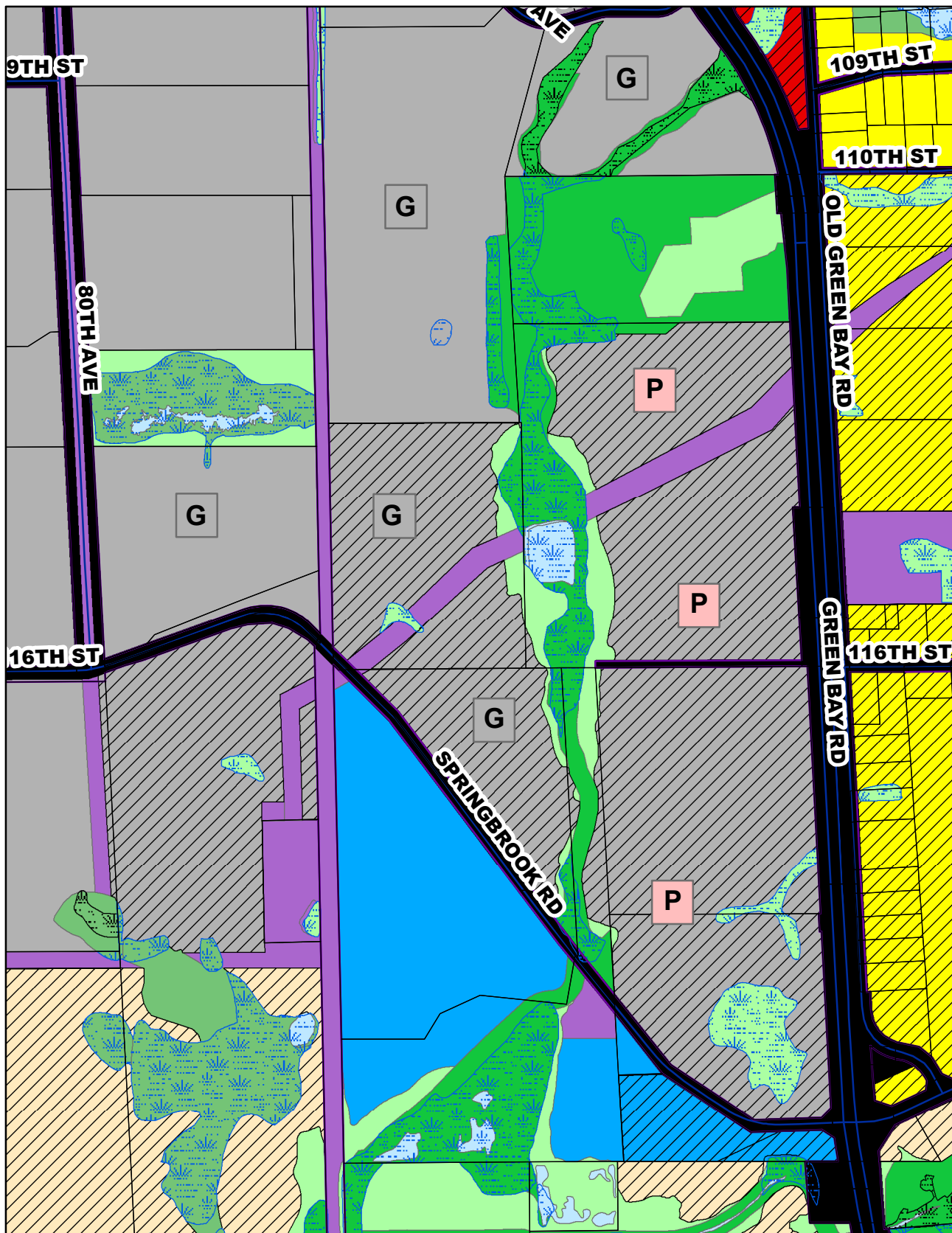
Governmental and Institutional lands include governmental and institutional buildings and grounds for which the primary function involves administration, safety, solid water, assembly, or educational purposes. This includes public and private schools, government offices, police and fire stations, solid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



Village of Pleasant Prairie portion of 2035 Land Use Plan

Exhibit C

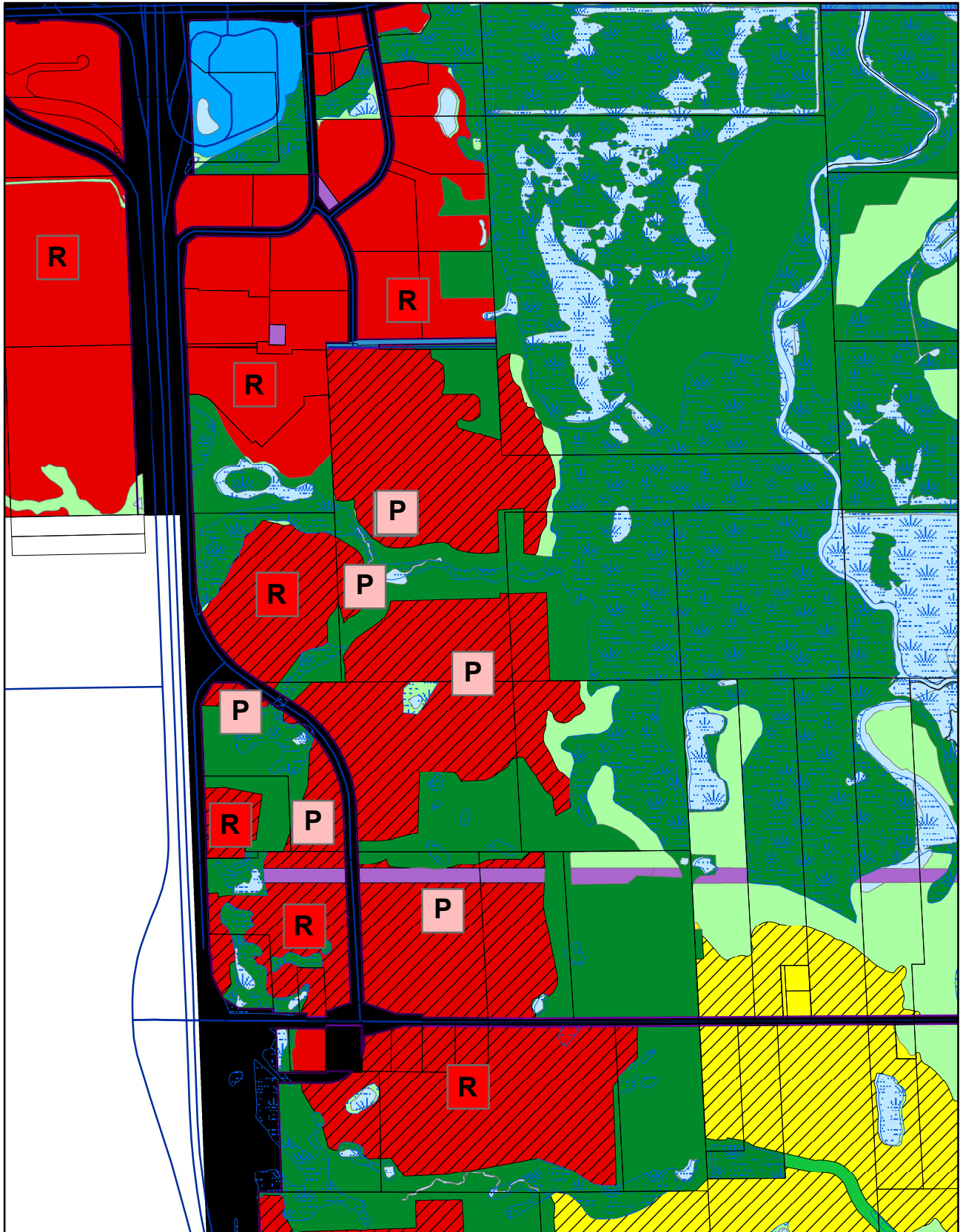
P Changed from General Industrial (with an Urban Reserve land use designation to the Production Manufacturing land use designation.



Source: Village of Pleasant Prairie
May 2013

Village of Pleasant Prairie portion of 2035 Land Use Plan

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

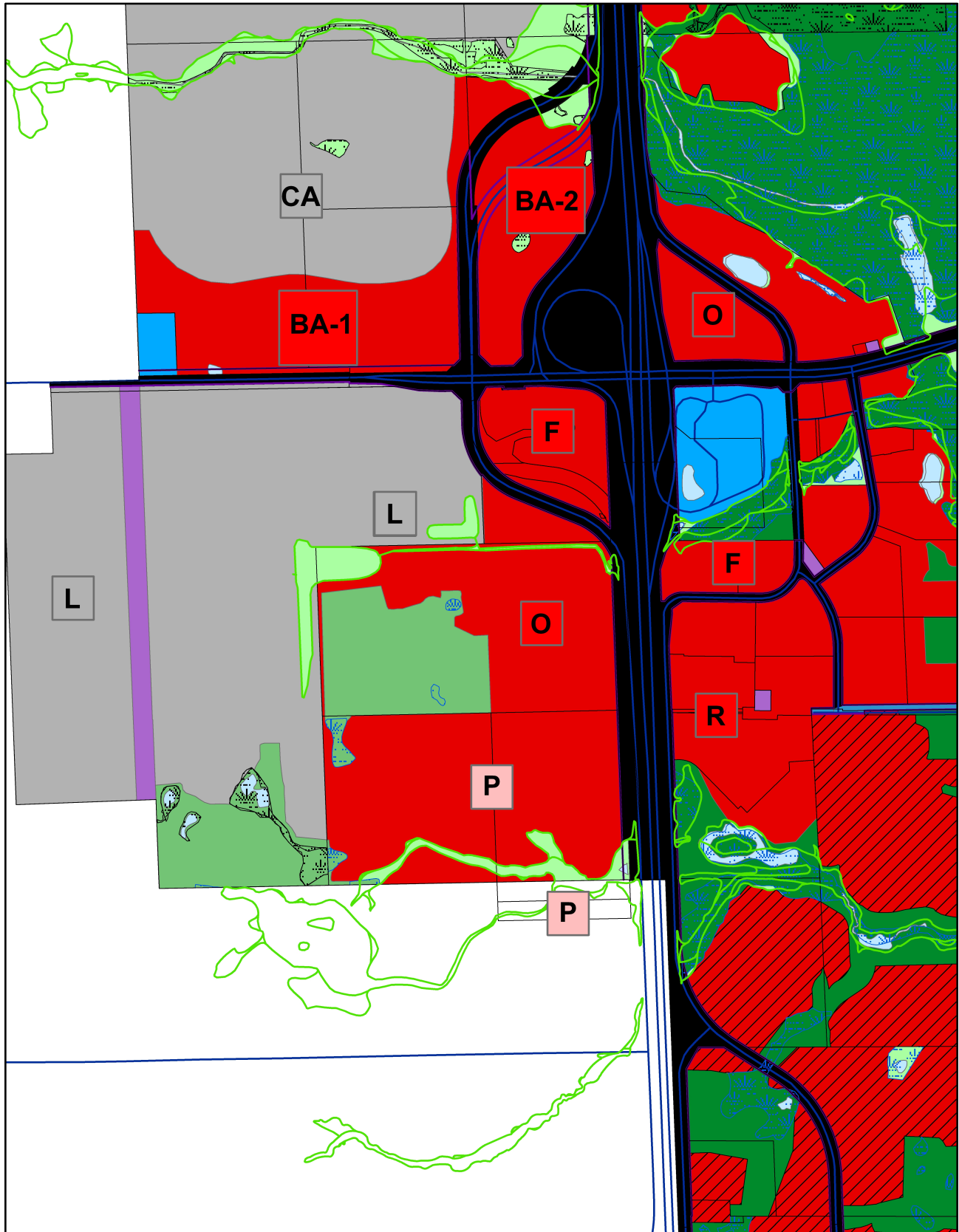


Source: Village of Pleasant Prairie
May 2013

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

ORDINANCE NO. 13-22

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:

420-125.2 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 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 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 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. 13-22 (June 17, 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) 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. Portions of the building used for manufacturing or directly related warehousing and/or distribution uses, as defined in Section C (3) (b) above, shall have a minimum glazed area (calculated on the basis of all manufacturing or directly related warehousing and/or distribution building facade areas) of five percent.
 - [ii] Office. Building(s). Portions of the building used for business office or research and development uses shall have a minimum glazed area (calculated on the basis of all office or research and development building facade-areas) 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 and Utility substation buildings 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). Additionally, Architectural Pre-Cast Concrete-Panels, 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 not result in plain, blank walls.

[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.

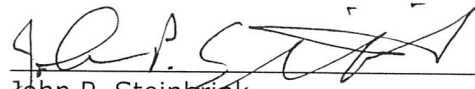
M. **Operational standards.** Except as otherwise specifically provided in this chapter, and without limitation, all uses, sites, buildings and structures in the M-5 District shall comply with the following operational standards to the extent applicable:

- (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.

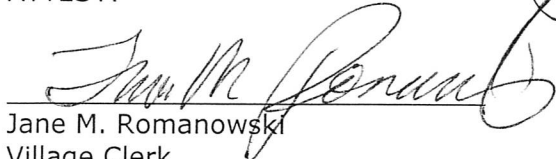
Adopted this 17th day of June, 2013.

VILLAGE OF PLEASANT PRAIRIE



John P. Steinbrink
Village President

ATTEST:



Jane M. Romanowski
Village Clerk

Posted: 6-20-13

22-M-5 District.doc

ORD. # 13-24

**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 110th Street and 122nd 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, 92-4-122-312-0100 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 120th 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 17th day of June, 2013.

VILLAGE BOARD OF TRUSTEES

ATTEST:



Vesna Savic

Deputy Village Clerk


Posted: 6-20-13

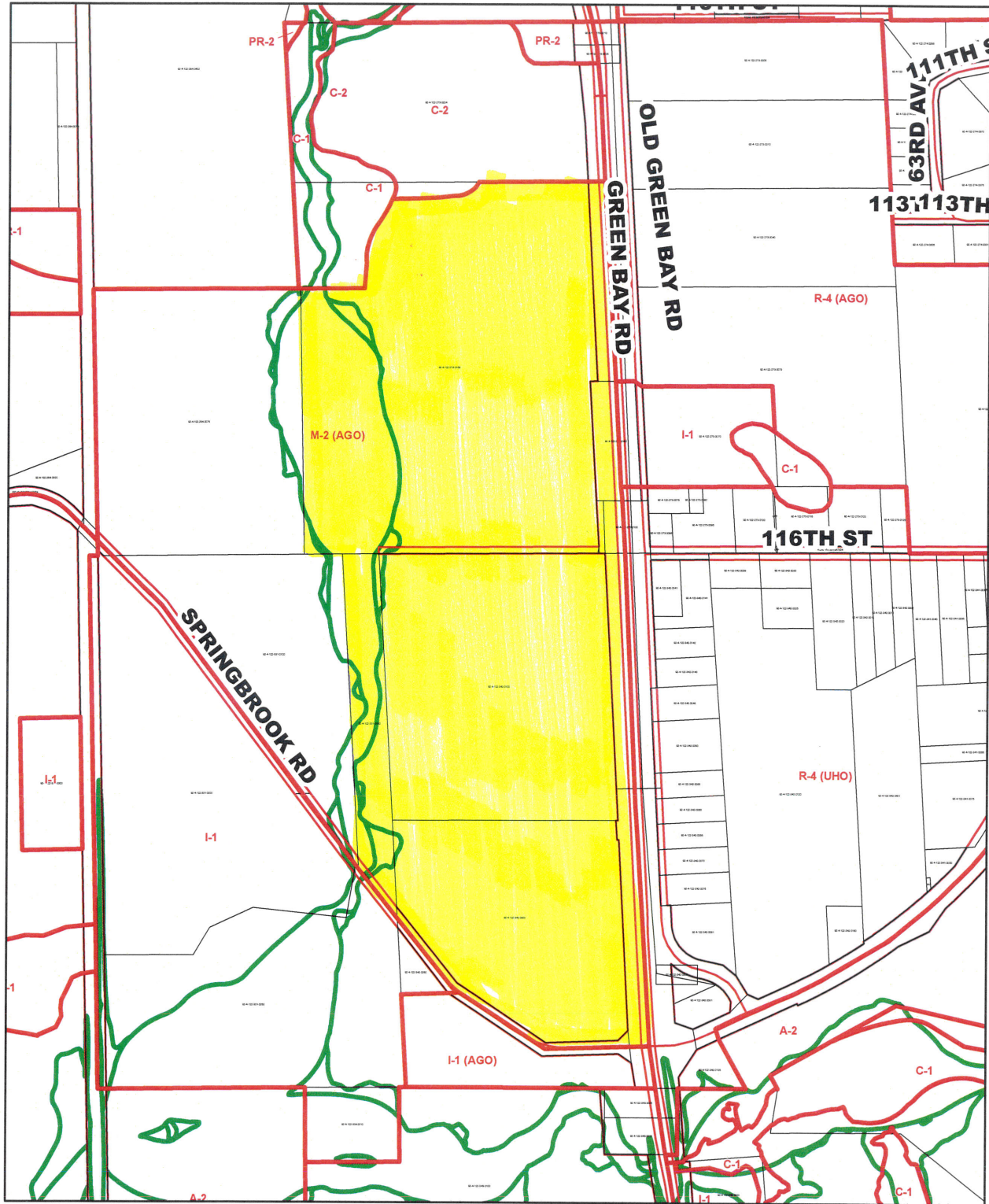
24-M-5 rezonings .doc


John P. Steinbrink
Village President

Village of Pleasant Prairie Zoning Map (portion of)

Green Line-100-year Floodplain
Zoning: FPO, Floodplain Overlay District


 Area to be rezoned to M-5

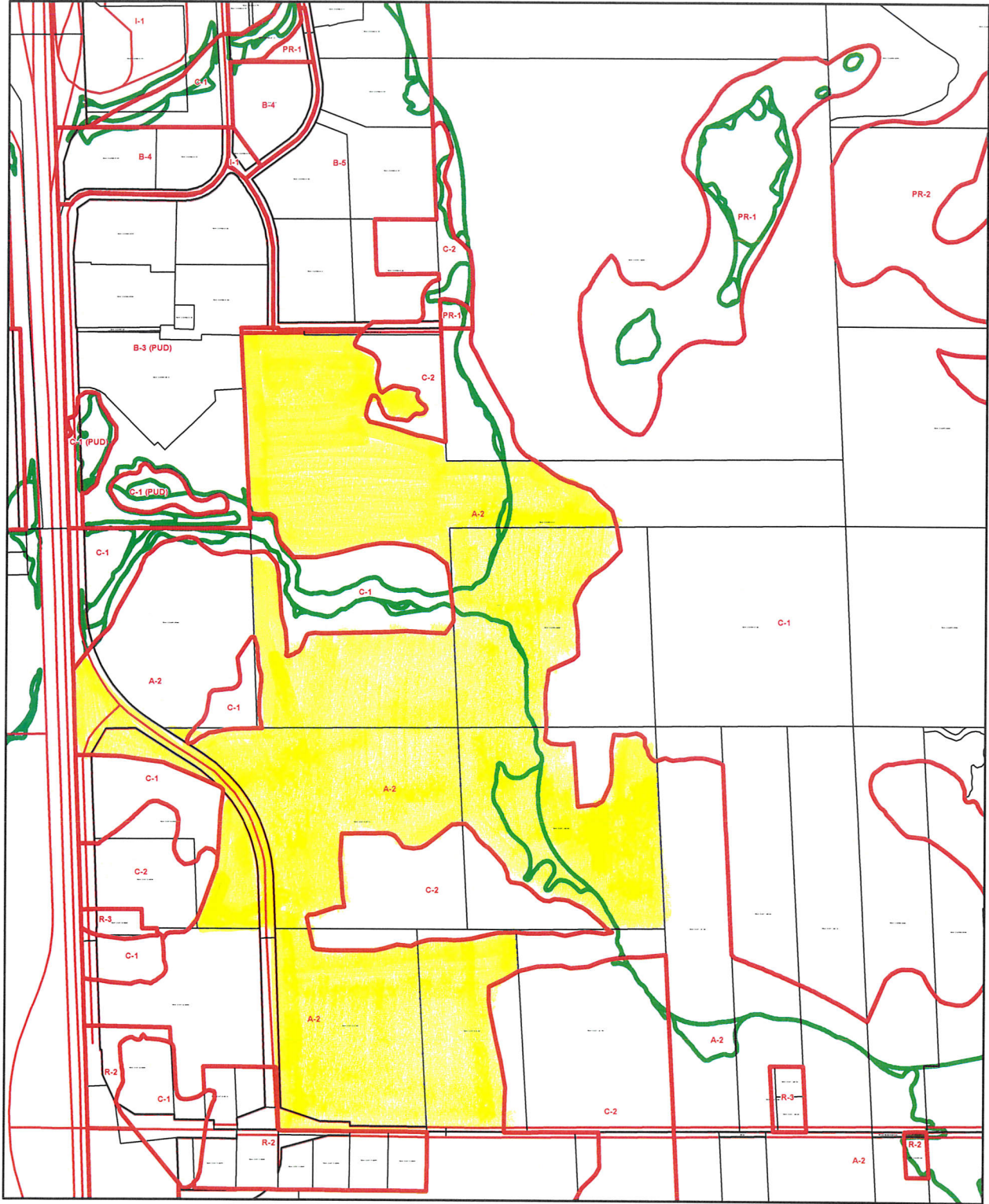


Source: Village of Pleasant Prairie
Date of Zoning: May 2013

Village of Pleasant Prairie Zoning Map (portion of)

Green Line-100-year Floodplain
Zoning: FPO, Floodplain Overlay District


 Area to be rezoned to M-5

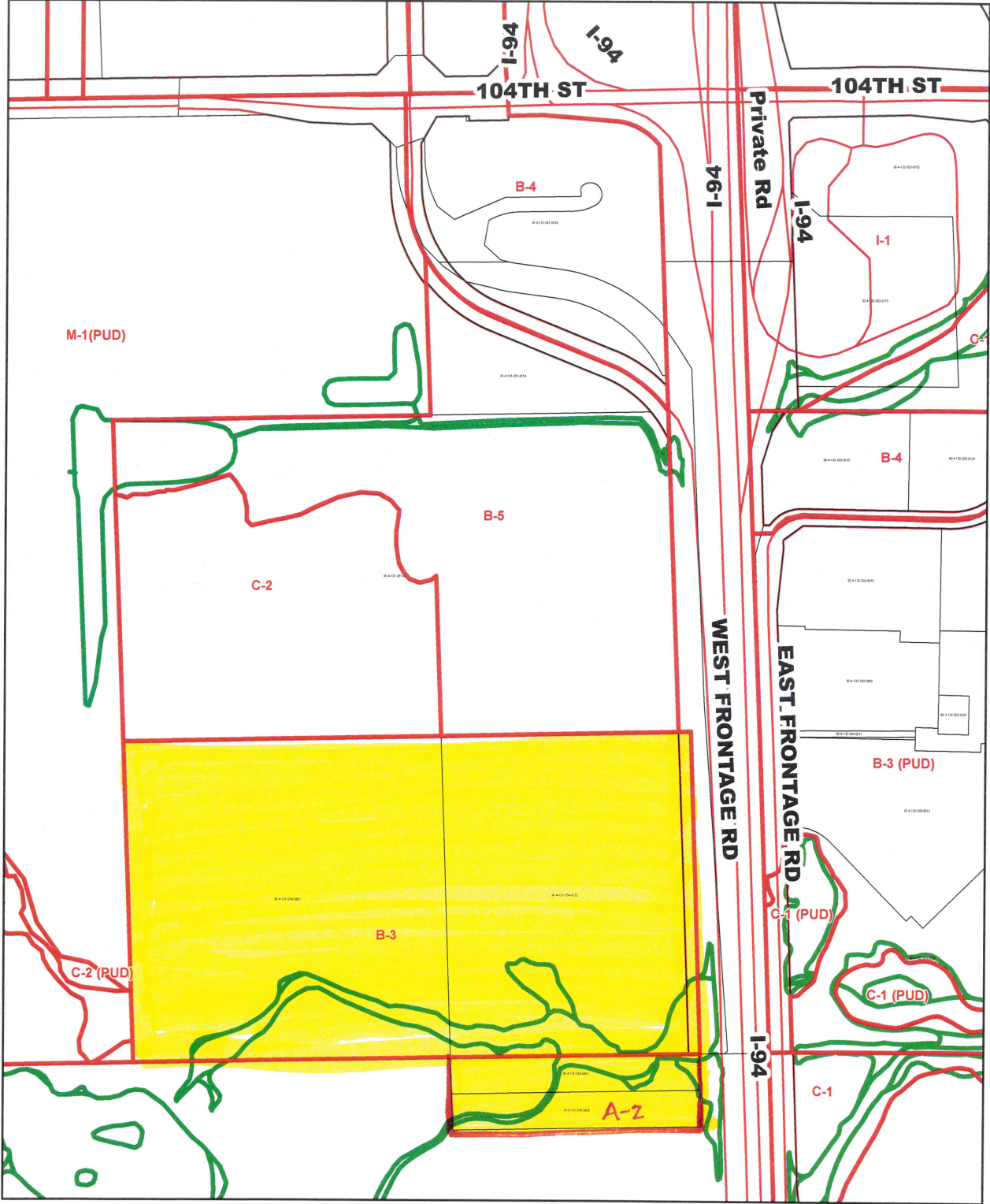


Source: Village of Pleasant Prairie
Date of Zoning: May 2013

Village of Pleasant Prairie Zoning Map (portion of)

Green Line-100-year Floodplain
Zoning: FPO, Floodplain Overlay District

 Area to be rezoned to M-5



Source: Village of Pleasant Prairie
Date of Zoning: May 2013

B. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENTS to rezone vacant land generally located north of STH 165 (104th Avenue) along 120th Avenue (East Frontage Road) to ensure that the Zoning Map and the Comprehensive Land Use Plan are consistent: **1)** portions of Tax Parcel Number (TPN) 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority that are currently zoned B-5, Freeway Office District are proposed to be rezoned into the M-5 Production Manufacturing District; **2)** portions of TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are currently zoned B-5 are proposed to be rezoned into the M-5; and **3)** TPN 92-4-122-193-0161 owned by WisPark LLC. generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is currently zoned B-5 is proposed to be rezoned into the B-4, Freeway Service Business District.

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

VILLAGE STAFF REPORT OF FEBRUARY 10, 2014

CONSIDERATION OF A ZONING MAP AMENDMENTS to rezone vacant land generally located north of STH 165 (104th Avenue) along 120th Avenue (East Frontage Road) to ensure that the Zoning Map and the Comprehensive Land Use Plan are consistent: **1)** portions of Tax Parcel Number (TPN) 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority that are currently zoned B-5, Freeway Office District are proposed to be rezoned into the M-5 Production Manufacturing District; **2)** portions of TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are currently zoned B-5 are proposed to be rezoned into the M-5; and **3)** TPN 92-4-122-193-0161 owned by WisPark LLC. generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is currently zoned B-5 is proposed to be rezoned into the B-4, Freeway Service Business District.

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 (text and map) 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.

On June 17, 2013 the Village Board approved amendments to the Comprehensive Plan and the Village Zoning Ordinance (Ord. # 13-21, Ord. #13-22 and Ord. #13-24) related to the new M-5, Production Manufacturing District.

The new M-5 Zoning District reflects an enhancement of the Village's public policy of sound and diversified economic development to promote job creation. The new M-5 District serves to enhance and encourage production, manufacturing, and office related employment as the primary uses in this District. The M-5 District also encourages and promotes more intensive land uses which in turn promotes greater employment opportunities in proximity to I-94.

During the Plan Commission public hearings regarding these Ordinance amendments, the staff indicated that a TIA was being completed for the area east of I-94 and that a Neighborhood Plan would be presented for this area upon its completion. The amendments to the Comprehensive Plan were just discussed with the consideration of Plan Commission Resolution #14-02.

As required by the Village Comprehensive Plan, the Land Use Plan Map shall be consistent with the Zoning Ordinance therefore, based on the LakeView West Neighborhood Plan and the land use map amendments discussed previously, the following zoning map amendments on vacant land generally located north of STH 165 (104th Avenue) along 120th Avenue (East Frontage Road) are proposed to ensure that the Village Zoning Map and the Comprehensive Land Use Plan Map are consistent:

1. Portions of Tax Parcel Number (TPN) 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority that are currently zoned B-5, Freeway Office District are proposed to be rezoned into the M-5 Production Manufacturing District.
2. Portions of TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are currently zoned B-5, Freeway Office District are proposed to be rezoned into the M-5 Production Manufacturing District.
3. TPN 92-4-122-193-0161 owned by WisPark LLC generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is currently zoned B-5, Freeway Office District is proposed to be rezoned into the B-4, Freeway Service Business District.

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

Recommendation:

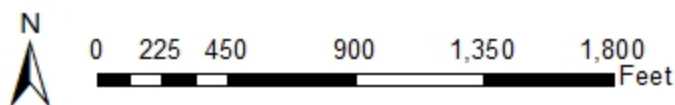
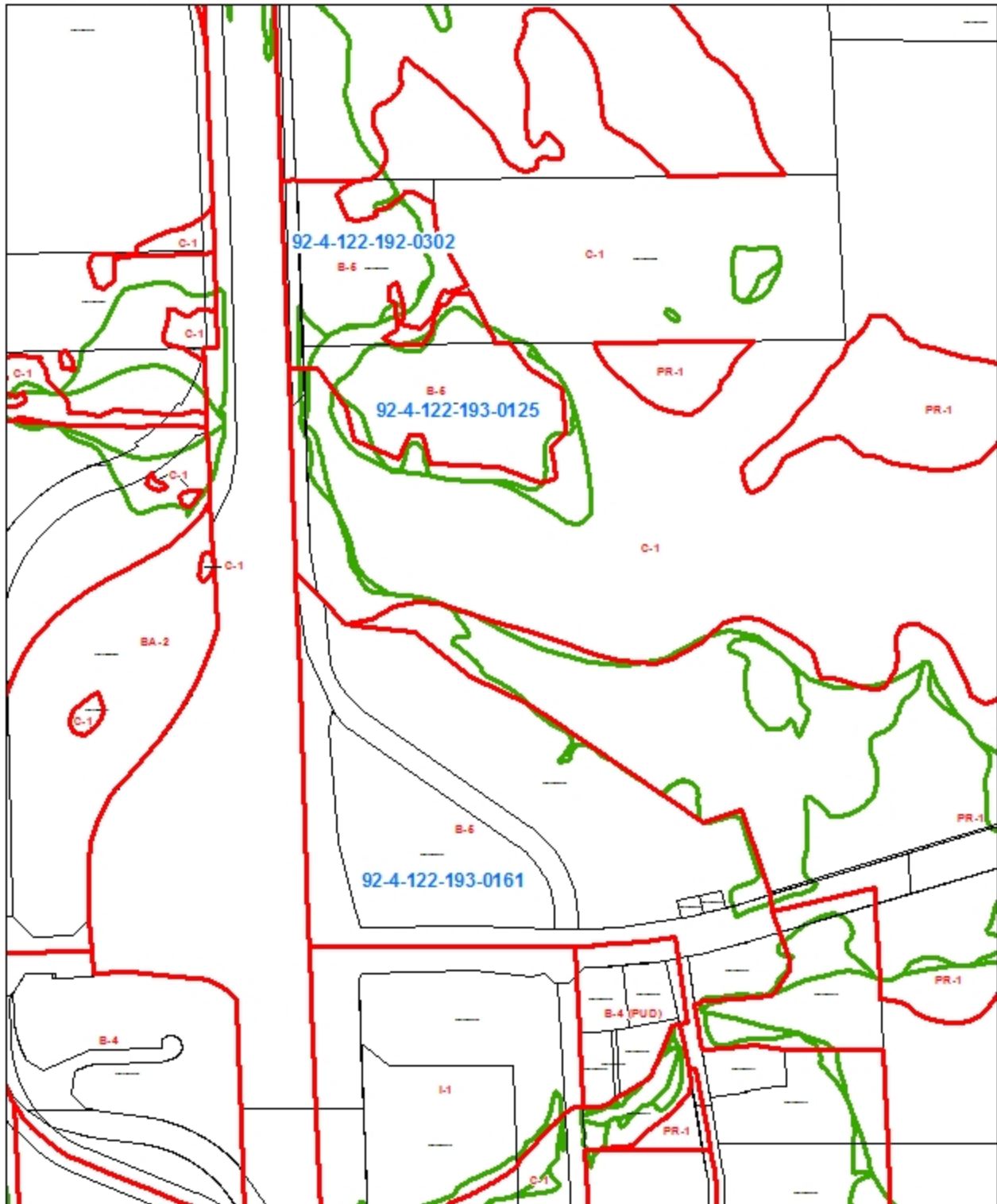
Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Map Amendments** as presented.

Village of Pleasant Prairie Zoning Map (portion of)

Green Line-100-year Floodplain
Zoning: FPO, Floodplain Overlay District

B-5 area rezoned to M-5

B-5 area rezoned to B-4



Source: Village of Pleasant Prairie
Date of Zoning: January 2014

- C. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-03 FOR AMENDMENT #5 TO TAX INCREMENT DISTRICT #2 (TID 2)** related to: proposed amendments to the TID 2 Project Plan, including changes to the TID 2 boundary (through the addition of parcels); revisions to project expenses to complete infrastructure improvements; the provision of financial incentives for development of industry [to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans]; and the acquisition of properties and/or easements that are required for public improvements.

Recommendation:

Village staff recommends that the Plan Commission approve Resolution #14-03 for Amendment #5 to Tax Increment District #2 (TID 2) and send a favorable recommendation to the Village Board to approve Amendment #5 to TID 2.

VILLAGE STAFF REPORT OF FEBRUARY 10, 2014

PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-03 FOR AMENDMENT #5 TO TAX INCREMENT DISTRICT #2 (TID 2) related to: proposed amendments to the TID 2 Project Plan, including changes to the TID 2 boundary (through the addition of parcels); revisions to project expenses to complete infrastructure improvements; the provision of financial incentives for development of industry [to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans]; and the acquisition of properties and/or easements that are required for public improvements.

PROJECT PLAN AMENDMENT

GENERAL DESCRIPTION & BACKGROUND

Introduction

The Village of Pleasant Prairie is initiating an amendment of Tax Increment District #2 (TID 2). This fifth (5th) amendment provides for a significant number of needs critical to the successful development of vacant land within TID 2 and continued expansion of the Village's industrial, manufacturing, assembly, professional office and research and development uses to further expand TID 2's tax base.

Tax Increment Finance District #2 – Brief History

Pleasant Prairie's first TID was created in 1989 to assist in the establishment of LakeView Corporate Park. It was retired in 1999, ten years earlier than originally anticipated. The initial value of TID #1 was \$15.75 million, and today, corporate park development in Pleasant Prairie is valued at \$787 million and accounts for 31.21% of the total value of the Village. This creates a substantial benefit in the amount of property taxes residents in Pleasant Prairie pay each year.

In 1999 TID 2, a TID suitable and zoned for industrial sites, was created to provide for additional industrial development within LakeView Corporate Park East and West. TID 2 has been amended four (4) times since 1999. TID 2, as amended, provides for further expansion for the Village's industrial and commercial tax base while taking advantage of the development opportunities that were created by the land's proximity to I-94. Under its current configuration, TID #2 encompasses approximately 2,174 acres.

Previous TID 2 Amendments - Pursuant to State Statutes 66.1105(4)(h)(8), the Village of Pleasant Prairie may adopt an amendment to a project plan under to modify the boundaries of TID 2 not more than 6 times during the district's existence.

- Amendment #1 – In 2002, the Village amended TID 2 to provide for the further expansion of the Village's industrial tax base while taking advantage of the development opportunities that are created because of the direct proximity of I-94. The amendment provided the Pleasant Prairie Community Development Authority ("CDA") with the resources to identify, acquire and redevelop blighted properties along I-94. This amendment included the merging of land adjacent to I-94 that was originally developed as Tax Increment District #3.
- Amendment #2 – In 2004, the Village amended TID 2 in order to install broadband infrastructure within TID 2 for the provision of the next generation of technical infrastructure improvements for existing and future development. The completed

fiber optic network ring is installed around and throughout TID 2 as well as off-site extensions to connect major water utility infrastructure and other areas in order to provide redundancy to the network. These improvements along I-94 have made TID 2 a far more desirable location to attract businesses with better paying sustainable jobs and significantly higher valued land uses. This change in the economic impact, along with increased property values, has provided a positive impact throughout Pleasant Prairie, Kenosha County and southeastern Wisconsin.

- Amendment #3 – In 2008, the Village amended TID 2 to provide funding for site development and utilities for the then-200 acre (now 231 acre) Uline Corporate Campus, generally located in the southwest quadrant of I-94 and County Trunk Highway Q (“CTH Q”).
- Amendment #4 – In 2012, the Village amended TID 2 to provide for the provision of funds to enable improvements, changes to the TID 2 boundary (through both additions and subtractions of parcels), for the purpose of revising project expenses to complete infrastructure improvements (roads and storm sewers, sanitary sewers, municipal water, site grading, storm water management), the provision of financial incentives for development of industry (which may include grants to owners, lessees or developers of land within TID 2), and the acquisition of properties that are required for public improvements, all to accommodate proposed development projects.

TID 2 encompasses the I-94 - STH 165/CTH Q interchange. At this location, the Village of Pleasant Prairie has been able to provide an economic environment that is poised to create well over 13,000 well-paying jobs where none previously existed. The Village has established a modern retail center, Pleasant Prairie Premium Outlet Mall, which employs over 1,000 persons and is a significant source of sales tax revenue to the State of Wisconsin.

West of I-94, the development of the Uline Corporate Campus has created a property tax base of over \$102 million dollars on land that was formerly occupied by adult bookstores, junk yards, fireworks stands, and “hodge-podge” residential development that was valued at less than \$15 million dollars. The construction of the proposed 2nd Uline warehouse distribution center (1.2 million square feet) will significantly increase the Village tax base.

The proposed revision of TID 2 project expenses will allow for necessary and critical infrastructure improvements and land acquisitions and in order keep current and proposed development proposals on track. The Village needs the flexibility to ensure that businesses (re)locating in the Village that the District can be modified in order to facilitate new construction. In some instances the timing and sequence of the future developments is not certain, but modifications to TID 2 are necessary to ensure the basic infrastructure requirements are met to make the land economically sustainable.

The Village of Pleasant Prairie has established a credible history of creating successful TIF districts in the past that have created over 8,000 new jobs, nearly ½ billion dollars in new value, and substantial commercial and residential spin-off that have kept the Kenosha County economy robust and vital.

Financing

Financing for TID 2 projects, in the form of general obligation bonds and promissory notes, will be issued in the years that projects are undertaken. Debt for the TID will be repaid with property taxes from businesses within the District. Once all of the debt for

the TID has been repaid, the District will be retired, and the property tax payments will then be directed back to the taxing entities. It is estimated that TID 2 will be retired during 2023 or earlier, depending upon the success of the development within the TID.

Description of the Project (5th Amendment)

This Amendment #5 to TID 2 includes the addition of territory to the TID 2 project boundaries. The project boundaries for the District are irregular. The TID 2, Amendment #5, boundaries in general are as follows: Beginning approximately 1/3 mile west of 39th Avenue at approximately 98th Street; then extending westward to Green Bay Road (STH 31) via a ribbon of land; then south along STH 31 to approximately 111th Street; then generally west and south where the boundary jogs to Springbrook Road (CTH ML) and further west and south where the boundary jogs to 122nd Street; then north along 88th Avenue (CTH H) to include selected parcels on both sides of CTH H to 104th Street (STH 165); then west to include selected properties north and south of STH 165 at the CTH H intersection; then further west along STH 165 along the south side of a ribbon of land abutting STH 165 on the north to the 120th Avenue (East Frontage Road); then south on 120th Avenue and 116th Avenue extended to include properties along both sides of 120th Avenue and 116th Avenue extended to the approximate 12000 Block; then north on 120th Avenue to include properties both east and west of I-94; then north along I-94 from the approximate 11400 Block on the west side of I-94, including a vast majority of the land situated within the Village municipal boundary west of I-94, to CTH C (Wilmot Road) to the north; then south along I-94 to include selected properties along the west side of I-94; then south to the STH 165/I-94 interchange including parcels adjacent to the interchange; then back east along the north side of the ribbon of land abutting STH 165 on the north side of STH 165 where the boundary jogs along the north side of STH 165 to the Union Pacific Railroad right-of-way, then north to 95th Street, then east to STH 31.

Pleasant Prairie Specific - TIF Amendment to State Statutes

On July 29, 2011, Governor Walker signed into law a bill enabling the Village of Pleasant Prairie to increase the value of the existing TID 2 beyond 12% of the Village's equalized value of taxable property (the "12% Limit"). The law provides for the growth of economic development opportunities within TID 2 and offers the Village flexibility to act quickly when addressing development opportunities that present themselves. The change to the TIF District became necessary when, in 2009 in an unusual set of circumstance due to fluctuations in the economy, the value of the Village's residential tax base decreased by 16% while the value in TID 2 increased by 11% due to new development. These factors led to the disproportion in the formula for the 12% Limit. This TIF law for the Village will allow the value of TID 2 to exceed the 12% Limit by allowing the value of TID 2 to be up to 1.33 times (or 33%) of the equalized assessed value of taxable property in the entire Village (rather than 12%). This law, specific to the Village of Pleasant Prairie, will allow the Village to enhance the financial effectiveness of TID 2. With the proposed Amendment #5, the value of TID 2 will be 16.95% of the total equalized assessed value of taxable property in the entire Village.

Parcels Additions to TID 2

This Amendment #4 to TID 2 also includes the addition and removal of some parcels within the existing TID 2.

PROPERTIES TO BE ADDED TO TID 2				
#	Tax Parcel Number	Owner	Address/Location	Acres
1.	91-4-121-254-0401	Pleasant Prairie Community Development Authority ("CDA")	North of 116 th Street, west of West I-94 Frontage Rd.	3.59
2.	91-4-121-254-0406	CDA	North of 116 th Street, west of West I-94 Frontage Rd.	3.59
3.	92-4-122-303-0101 ^{RCP}	James G. Hart Delaine Farms Partners ("Hart")	11423 110 th St. (South of 110 th St. at the present terminus of 116 th Ave.)	108.19
4.	92-4-122-303-0110	Conservation Education LLC	Immediately south of 110 th St. at the present terminus of 116 th Ave.	0.95
6.	92-4-122-303-0300	Ries Partners LP	South of Premium Outlets Mall	31.08
	92-4-122-304-0200 ^{RCP}	Hart	Landlocked, SE of Premium Outlets Mall	40.00
7.	92-4-122-311-0200 ^{RCP}	Hart	Landlocked, SE of Premium Outlets Mall	40.00
8.	92-4-122-312-0100 ^{RCP}	Otto Spenger Trust	NE corner of 122 nd St. & 120 th Ave.	27.90
9.	92-4-122-312-0150 ^{RCP}	Kathleen M. Johnson	11220 122 nd St.	19.27
10	92-4-122-312-0305 ^{RCP}	Hart	Between East Frontage Rd. & 120 th Ct.	18.30
11	92-4-122-312-0310 ^{RCP}	Hart	East of East Frontage Rd.	43.60
Total Acres Added				336.47

RCP - Addition of properties within the proposed Riverview Corporate Park – *The improvements associated with the development of the Riverview Corporate Park shall be accompanied with a Development Agreement between the developer and the Village.*

SPECIFIC TID 2, AMENDMENT 5 PROJECTS

The primary reasons for amending the TID 2 Project Plan are for:

- The provision of funds to enable improvements.
- Changes to the TID 2 boundary through the addition of parcels.
- The purpose of revising project expenses to complete infrastructure improvements (roadways, storm sewers, sanitary sewers, municipal water, site work and grading, storm water management, land acquisition, pedestrian/bicycle path and sidewalk, burying of utility lines).
- The provision of financial incentives for development to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans.
- Grants and incentives for economic development.
- The acquisition of land necessary for required public improvements.

The proposed total project cost has increased by \$28,340,900 to a total project cost of an estimated \$122.6 million. The approximate new project costs increase of \$28 million is comprised mainly of: \$7.5 million for roadway improvements; \$1.5 million storm sewer improvements; \$4.2 million for sanitary sewer improvements; \$3.8 million for municipal water main improvements; 9.1 million for site work and grading; \$1.0 million for a pedestrian/bicycle path along both sides of 95th Street, between Green Bay Road (STH 31) and 88th Avenue (CTH H); \$75,000 for grants and incentives for economic development; and \$600,000 in administrative and legal costs. **Without the use of TIF funding, the following developments would not occur.**

1. **Riverview Corporate Park**

A major part of the Amendment 5 costs are attributed to the proposed Riverview Corporate Park (RCP) proposed to be developed by Venture One Real Estate, LLC on the Hart, Sprenger and Johnson-owned properties generally located east of I-94 south of 110th Street and north of 122nd Street. Maps 11 & 12 of the Plan indicate that a possible eight (8) office and manufacturing/production buildings, ranging in size from about 69,000 square feet to 428,000 square feet could be developed within RCP.

On September 16, 2013, the Village Board of Trustees conditionally-approved a Master Conceptual Plan for the proposed +/-300 acre RCP. RCP is strategically designed to accommodate corporate facilities for office, research and development, manufacturing, production and assembly operations (in accordance with the M-5, Production Manufacturing Zoning District). Infrastructure development of RCP will likely begin in 2014 with an ultimate estimated employment of 1,100 people at full build-out.

Components of Amendment 5 attributed to the development of RCP include:

- ❖ **Roadway** (expenditures of approximately \$6,204,000)
 - Construction of 116th Avenue extending south from 110th Street terminating in a cul-de-sac north of a navigable waterway (Phase I) and northward from 122nd Street terminating in a cul-de-sac south of a navigable waterway (Phase II).
 - Construction of 116th Street extending eastward from the existing East Frontage Road to the new 116th Avenue (forming a T-intersection).
 - Removal of a curved segment of the East Frontage Road south of the new 116th Street to the point where the "old" segment of the East Frontage Road connects with the new 116th Avenue (Phase I).
 - Construction of a roundabout at the 120th Avenue/Corporate Drive/108th Street intersection near Premium Outlets (Phase II).
- ❖ **Storm Sewer** (\$900,000), **Sanitary Sewer** (\$3,316,000), **Municipal Water Main** (\$1,046,000), **Site Work & Grading** (\$5,412,000) = \$10,674,000
 - The construction of storm sewer and storm water management facilities (retention ponds); sanitary sewer mains; extension of water south from 116th Avenue at 110th Street south to 122nd Avenue (Phase I); grading for Phases I and II and a construction of a lift station in Phase II.

2. **Prairie Springs Pointe South**

The Village Community Development Authority (CDA) owns an approximate 30 acre parcel located west of I-94 along the West Frontage Road, approximately 1/2 - 3/4 miles south of CTH Q, commonly referred to as Prairie Springs Point South ("PSP South"). The CDA is actively marketing this M-5 zoned property. This Amendment 5 includes funding to install infrastructure associated with the PSP South parcel, which includes the following.

❖ **Roadways** (\$976,000)

- Construction of 113th Street extending west from the West Frontage Road (120th Avenue) to the western parcel line of the PSP South parcel, with associated wetland mitigation.
- Improvements to the West Frontage Road to an urban profile road section.

❖ **Storm Sewer** (\$188,000), **Sanitary Sewer** (\$195,000), **Municipal Water Main** (\$195,000), **Site Work & Grading** (\$255,000) = \$833,000

- Construction of storm sewer, sanitary sewer, and municipal water within the 113th Street right-of-way extending west from the West Frontage Road to the western parcel line to service the 30 acre CDA-owned PSP South parcel and the Ries Partners LP -owned 40 acres to the west and associated site work and grading.

3. **Village Green Area Plan & 39th Avenue Reconstruction**
(Statute 66.1105 2.(f)1.m. - ½ Mile Radius Rule)

In 2014, the Village is planning the construction of a new Fire Station #1, to be located immediately north of the Village Hall. Associated with the new Fire Station #1 is a redesign of the Village Green Area along with the reconstruction of 39th Avenue (CTH EZ) to an urban profile (curb & gutter), 2-lane roadway with a median, bicycle lanes and parallel parking between 104th Street (STH 165) and 97th Street. The improvements to 39th Avenue, an arterial roadway, will serve the proposed Village Green Area, generally located within the demographic center of the Village at 104th Street, Springbrook Road and 39th Avenue. The Village Green Area is a planned, but yet-to-be-constructed, mixed-use commercial/residential development incorporating not only commercial, civic and park uses, but also a variety of higher density residential uses. This improvement will provide the foundation for the necessary infrastructure to start commercial development, by a private developer, in the geographic center of the Village.

It is anticipated that the necessary funding for the redesign of the Village Green Area and the reconstruction of 39th Avenue, which includes engineering fees, right-of-way acquisition, property acquisition for storm water facilities, sanitary sewer, water main, storm sewer mains, roadway, parking areas, traffic signals, landscaping, irrigation, street lighting and the relocation (placement underground) of the existing overhead electric utility lines along the east side of 39th Avenue between 100th Street, northwards to Springbrook Road and additional Village Hall on-site electric utility lines, will involve an expenditure of approximately \$7,320,000.

4. **Lakeview Sanitary Sewer Main Extension**

The construction of a sanitary sewer main along the east side of 88th Avenue, extending from just north of 113th Street to the Lakeview lift station. This sanitary sewer will provide additional flow to an under-utilized lift station which will aid in lowering the pollutant loading concentrations in the Village's system overall. This improvement will cost approximately \$561,000.

5. **Sheridan Road Distribution Water Main**

Installation of a new water main along the west side of Sheridan Road, from 91st Street to the existing Water Booster Station at 104th Street. This project will remove existing water services/laterals from the existing transmission main to this new water line. These water customers will then be on the Village's pressure system rather than the Kenosha Water Utility and the new line will provide service to the future Barnes Creek Neighborhood area. This improvement will involve an expenditure of approximately \$2,280,000.

6. **95th Street Pedestrian/Bicycle Path & Sidewalk**

Construction of a 5 foot wide concrete sidewalk on the south side of 95th Street, between Green Bay Road (STH 31) and 88th Avenue (CTH H), and a 10 foot wide asphalt multi-use path on the north side of 95th Street, from Old Green Bay Road to Terwall Terrace (connecting to the existing multi-use path that encircles Lake Andrea), \$1,029,000 (includes right-of-way acquisition).

7. **95th Street – Green Bay Road Intersection Improvements**

The construction of a dedicated right turn lane on eastbound 95th Street to southbound Green Bay Road (STH 31) to facilitate the increase in truck and automobile traffic generated by the Meijer office/distribution facility from its 95th Street access drive. The increase in safety at this intersection through added capacity and improved geometrics will cost approximately \$162,000.

8. **Prairiewood Water Main Improvements**

Water system improvements incorporating the completion of a loop of the new water main (a water main will be extended west from the new 116th Avenue main along the relocated 116th Street/East Frontage Road (120th Avenue) T-intersection and follow 120th Avenue northwards to 108th Street then eastward to and terminating at the existing I-94 water tower), boring underneath I-94 and installation of a steel casing to accommodate the future installation of a new water main, construction of a new main (including new water main underneath I-94 extending through the aforementioned previously installed steel casing), with the main continuing along the west side of the West Frontage Road, then north to County Trunk Highway Q (CTH Q) and continuing on the north side of CTH Q to the Village Corporate limits, (includes \$2,000 for easement acquisition), \$1,718,000.

9. **Grants & Incentives for Economic Development**

Through Amendment #5, TID 2 will fund grants and incentives for economic development to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans involving approximately \$75,000.

Recommendation

Village staff recommends that the Plan Commission approve Resolution #14-03 for Amendment #5 to Tax Increment District #2 (TID 2) and send a favorable recommendation to the Village Board to approve Amendment #5 to TID 2.

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION
RESOLUTION #14-03**

**RESOLUTION APPROVING AMENDMENT #5 TO THE PROJECT
PLAN FOR TAX INCREMENTAL DISTRICT #2 OF THE
VILLAGE OF PLEASANT PRAIRIE, WISCONSIN**

WHEREAS, the Village Board of the Village of Pleasant Prairie, Kenosha County, Wisconsin (the "Village") created Tax Incremental District No. 2 ("TID 2") in order to promote the development of new industrial areas in the Village and benefit the Village by increasing the Village's industrial tax base, diversifying the impact of property taxes and providing quality economic development for the Village; and

WHEREAS, it has been determined that in order to further promote industrial development in the Village and obtain these benefits for the Village and its residents it is necessary and desirable to amend the Project Plan for TID 2 to: 1) change the TID 2 boundary (through the addition of parcels); 2) revise the project expenses to complete infrastructure improvements; 3) provide financial incentives for development of industry [to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans within TID 2]; and 4) acquire properties that are required for public improvements; and

WHEREAS, the total project costs of TID 2 will increase by approximately \$28.3 million as a result of revising the TID via Amendment #5. These revisions include new project expenses to: update financial estimates to complete infrastructure improvements; revise project expenses to complete infrastructure improvements (roads and storm sewers, sanitary sewers, municipal water, site grading, storm water management, pedestrian/bicycle path and sidewalk); provide financial incentives for development of industry (to either industry or as a conduit to KABA for either grants or low-interest loans within TID 2); acquire land and easements for public improvements; and

WHEREAS, pursuant to Section 66.1105, Wis. Stats., this Plan Commission has prepared an amended project plan for TID 2 (the "Amended Project Plan"); and

WHEREAS, on February 10, 2014, this Plan Commission held a public hearing at which all interested parties were afforded a reasonable opportunity to express their views on the Amended Project Plan;

NOW, THEREFORE, be it resolved by the Plan Commission of the Village of Pleasant Prairie, Kenosha County, Wisconsin, that:

Section 1. Feasibility of Amended Project Plan. Based on the information set forth in the Amended Project Plan, including the economic feasibility report which is a part of the Plan, this Plan Commission finds that the Amended Project Plan is feasible.

Section 2. Conformity with Master Plan. The Amended Project Plan is in conformity with the Comprehensive Land Use Plan Map (Master Plan) of the Village; as such Master Plan is to be amended, as described in the Amended Project Plan.

Section 3. Equalized Value Test (12% Limit). As demonstrated by the Statement of Findings included in the Amended Project Plan, after the addition of the property to be added to TID 2 pursuant to the Amended Project Plan, TID 2 will be in compliance with the equalized value limitation applicable to it under Section 66.1105(17)(c)2 of the Wisconsin Statutes.

Section 4. Approval of Amended Project Plan. The Amended Project Plan for the Tax Incremental District #2 of the Village attached hereto as **Exhibit A** and incorporated herein by reference is approved pursuant to Section 66.1105(4)(h), Wis. Stats. This Plan Commission recommends approval of the Amended Project Plan and submits it to the Village Board.

Adopted this 10th day of February 2014.

VILLAGE OF PLEASANT PRAIRIE

Thomas W. Terwall
Plan Commission Chairman

ATTEST:

Donald L. Hackbarth
Plan Commission Secretary

Posted: _____

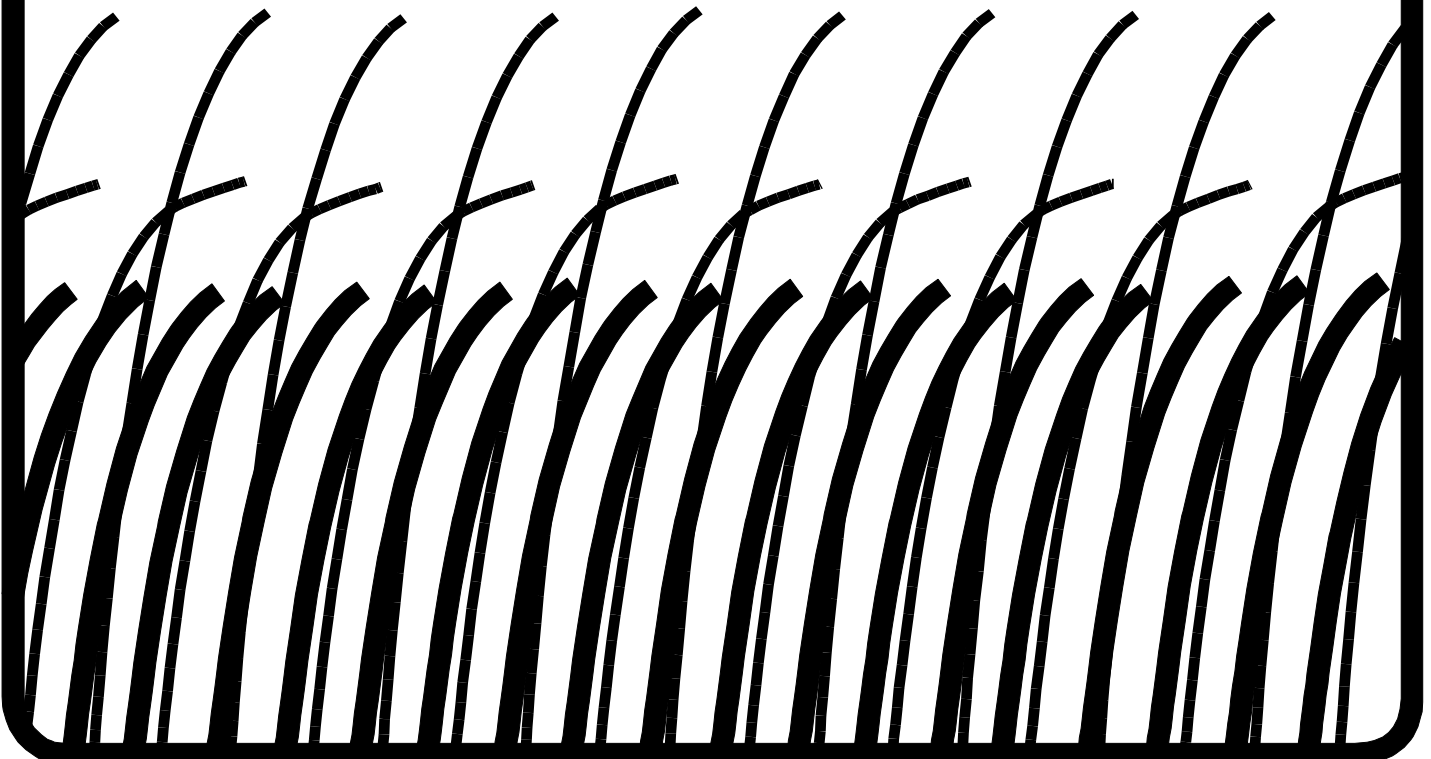
Plan Comm Resolution 14-03 TID 2 Amend 2-10-14

VILLAGE OF PLEASANT PRAIRIE

**TAX INCREMENT
DISTRICT #2
AMENDMENT #5**

PROJECT PLAN

February 10, 2014



**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

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**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

General Description of the Project

The Village of Pleasant Prairie is initiating an amendment of Tax Increment District #2 (TID 2 or the District). This fifth (5th) amendment provides for a significant number of needs critical to the successful development of vacant land within TID 2 and continued expansion of the Village's industrial, manufacturing, assembly, professional office and research and development uses to further expand TID 2's tax base.

Previous TID 2 Amendments:

- Amendment #1 – In 2002, the Village amended TID 2 to provide for the further expansion of the Village's industrial tax base while taking advantage of the development opportunities that are created because of the direct proximity of I-94. The amendment provided the Pleasant Prairie Community Development Authority ("CDA") with the resources to identify, acquire and redevelop blighted properties along I-94. This amendment included the merging of land adjacent to I-94 that was originally developed as Tax Increment District #3.
- Amendment #2 – In 2004, the Village amended TID 2 in order to install broadband infrastructure within TID 2 for the provision of the next generation of technical infrastructure improvements for existing and future development. The completed fiber optic network ring is installed around and throughout TID 2 as well as off-site extensions to connect major water utility infrastructure and other areas in order to provide redundancy to the network.
- Amendment #3 – In 2008, the Village amended TID 2 to provide funding for site development and utilities for the then-200 acre (now 231 acre) Uline Corporate Campus, generally located in the southwest quadrant of I-94 and County Trunk Highway Q ("CTH Q").
- Amendment #4 – In 2012, the Village amended TID 2 to provide for the provision of funds to enable improvements, changes to the TID 2 boundary (through both additions and subtractions of parcels), for the purpose of revising project expenses to complete infrastructure improvements (roads and storm sewers, sanitary sewers, municipal water, site grading, storm water management), the provision of financial incentives for development of industry (which may include grants to owners, lessees or developers of land within TID 2), and the acquisition of properties that are required for public improvements, all to accommodate proposed development projects.

These improvements have made TID 2 far more desirable in order to attract businesses with better paying jobs and significantly higher valued land uses. This change in the economic impact, along with increased property values will provide a positive impact throughout Kenosha County.

AMENDMENT #5

Village Allowed Six (6) Amendments to TID 2

While Section 66.1105(4)(h)2 of the State Statutes allows for the amendment of a TID project plan to modify a district's boundaries not more than four (4) times during a district's

life, part 8 of the same Section states that the planning commission in the Village of Pleasant Prairie may adopt an amendment to a project plan under subd. 1. to modify the boundaries of TID 2 not more than 6 times during the district's existence.

General TID 2 Amendment 5 Description

As a result of this Amendment #5, the existing boundaries of TID 2 are proposed to be changed through the addition of parcels. The boundaries for TID 2, as proposed to be amended, are irregular in shape and are described generally as follows: Beginning approximately 1/3 mile west of 39th Avenue at approximately 98th Street; then extending westward to Green Bay Road (STH 31) via a ribbon of land; then south along STH 31 to approximately 111th Street; then generally west and south where the boundary jogs to Springbrook Road (CTH ML) and further west and south where the boundary jogs to 122nd Street; then north along 88th Avenue (CTH H) to include selected parcels on both sides of CTH H to 104th Street (STH 165); then west to include selected properties north and south of STH 165 at the CTH H intersection; then further west along STH 165 along the south side of a ribbon of land abutting STH 165 on the north to the 120th Avenue (East Frontage Road); then south on 120th Avenue and 116th Avenue extended to include properties along both sides of 120th Avenue and 116th Avenue extended to the approximate 12000 Block; then north on 120th Avenue to include properties both east and west of I-94; then north along I-94 from the approximate 11400 Block on the west side of I-94, including a vast majority of the land situated within the Village municipal boundary west of I-94, to CTH C (Wilmot Road) to the north; then south along I-94 to include selected properties along the west side of I-94; then south to the STH 165/I-94 interchange including parcels adjacent to the interchange; then back east along the north side of the ribbon of land abutting STH 165 on the north side of STH 165 where the boundary jogs along the north side of STH 165 to the Union Pacific Railroad right-of-way, then north to 95th Street, then east to STH 31.

The primary reasons for amending the TID 2 Project Plan are for:

- The provision of funds to enable improvements.
- Changes to the TID 2 boundary through the addition of parcels.
- The purpose of revising project expenses to complete infrastructure improvements (roadways, storm sewers, sanitary sewers, municipal water, site work and grading, storm water management, land acquisition, pedestrian/bicycle path and sidewalk, burying of utility lines).
- The provision of financial incentives for development to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans.
- Grants and incentives for economic development.
- The acquisition of land necessary for required public improvements.

The improvements associated with the development of the Riverview Corporate Park shall be accompanied with a Development Agreement between the developer and the Village.

The amendments are all necessary to accommodate proposed development projects. The proposed total project cost has increased by \$28,340,900 to a total cost of an estimated \$122,573,939. Without the use of TIF funding, the following TID 2 development projects would not occur.

Project Areas

As noted below, the major project areas of the District are roadways, storm sewers and storm water management, sanitary sewers, municipal water, site work and grading, pedestrian/bicycle path & sidewalk and providing grants and financial incentives for development of industry.

Roadways

Roadway improvements in the District will cost approximately \$23,222,472, which is an increase of \$7,462,000 from the 2012 Amendment #4 costs. Amendment #5 major roadway construction involves: **1)** New roadways within the proposed Riverview Corporate Park ("RCP") consisting of the construction of 116th Avenue southward from 110th Street terminating in a cul-de-sac north of a navigable waterway (Phase I of RCP) and northward from 122nd Street terminating in a cul-de-sac south of a navigable waterway (Phase II of RCP); **2)** The construction of 116th Street extending eastward from the existing East Frontage Road to the new 116th Avenue (forming a T-intersection) and the removal of a curved segment of the East Frontage Road south of the new 116th Street to the point where the "old" segment of the East Frontage Road connects with the new 116th Avenue (Phase I of RCP); **3)** The construction of a roundabout at the 120th Avenue/Corporate Drive/108th Street intersection near Premium Outlets (Phase II of RCP), includes right-of-way acquisition; **4)** The construction of 113th Street extending west from the West Frontage Road (120th Avenue) to the western parcel line of the 30 acre Community Development Authority (CDA)-owned Prairie Springs Point South ("PSP South") parcel, with associated wetland mitigation and improvements to the West Frontage Road to an urban profile road section; **5)** 39th Avenue roadway reconstruction, burying of electric utility lines and land acquisition, from 97th Street to 104th Street; and **6)** The construction of a dedicated right turn lane on eastbound 95th Street to southbound Green Bay Road (STH 31).

Storm Sewer

Storm sewer and storm water management improvements in the District will cost approximately \$5,227,743 increasing the Amendment #5 project costs by \$1,492,000. Major storm sewer and storm water management projects include: **1)** The construction of storm water management facilities (retention ponds) for Phase I and Phase II of RCP; **2)** The construction of storm sewer within the 113th Street right-of-way extending west from the West Frontage Road (120th Avenue) to the western parcel line of the 30 acre CDA-owned PSP South parcel; and **3)** Improvements associated with the 39th Avenue reconstruction from 97th Street to 104th Street.

Sanitary Sewer

Sanitary sewer improvements in the District will cost approximately \$13,519,940, which is an increase of \$4,183,984 from the 2012 Amendment #4 costs. Major sanitary sewer projects are comprised of: **1)** RCP improvements consisting of the installation of sanitary sewer mains (Phase I and Phase II of RCP), a lift station (Phase II of RCP), the reconstruction of a force main discharge vault at the STH 165 Lift Station (Phase I of RCP), and force main valve work at the STH 165 Lift Station (Phase I of RCP); **2)** The installation of sanitary sewer within the new 113th Street roadway extending west from the West Frontage Road (120th Avenue) to service the 30 acre CDA-owned PSP South parcel and the Ries Partners LP -owned 40 acres to the west; **3)** The construction of a sanitary sewer main along the east side of 88th Avenue, extending from just north of 113th Street to the Lakeview lift station; and **4)** Sanitary sewer improvements associated with the 39th Avenue reconstruction from 97th Street to 104th Street.

Municipal Water Main

Municipal Water improvements will cost approximately \$18,037,143. The increase in Amendment #5 municipal water improvements is \$3,781,000. New water projects involve: **1)** Extending water main south from 116th Avenue at 110th Street south to 122nd Avenue (Phase I and Phase II of RCP); **2)** I-94 Water System Improvements incorporating the completion of a loop of the new water main (a water main will be extended west from the new 116th Avenue main along the relocated 116th Street/East Frontage Road (120th Avenue) T-intersection and follow 120th Avenue northwards to 108th Street then eastward to and terminating at the existing I-94 water tower), boring underneath I-94 and installation of a steel casing to accommodate the future installation of a new water main, construction of a new main (including new water main underneath I-94 extending through the aforementioned previously installed steel casing), with the main continuing along the west side of the West Frontage Road, then north to County Trunk Highway Q (CTH Q) and continuing on the north side of CTH Q to the Village Corporate limits, (includes \$2,000 for easement acquisition); **3)** The installation of a water main within the new 113th Street roadway extending west from the West Frontage Road (120th Avenue) to service the 30 acre CDA-owned PSP South parcel; **4)** Water improvements associated with the 39th Avenue reconstruction from 97th Street to 104th Street; and **5)** Installation of a new water main along the west side of Sheridan Road, from 91st Street to the existing Water Booster Station at 104th Street.

Site Work & Grading

Site grading will cost approximately \$13,929,263, which is an increase of \$9,148,522 from the 2012 Amendment #4 costs. A majority of this grading cost is attributed to three (3) areas: **1)** Grading for the proposed RCP Phases I & II; **2)** Grading the approximate 30 acre (CDA)-owned PSP South parcel located on the west side of I-94, approximately 1/2 - 3/4 miles south of CTH Q; and **3)** Site work and grading associated with the 39th Avenue reconstruction from 97th Street to 104th Street.

Pedestrian/Bicycle Path & Sidewalk

This Project Plan includes the construction of a 5 foot wide concrete sidewalk on the south side of 95th Street, between Green Bay Road (STH 31) and 88th Avenue (CTH H), and a 10 foot wide asphalt multi-use path on the north side of 95th Street, from Old Green Bay Road to Terwall Terrace (connecting to the existing multi-use path that encircles Lake Andrea), \$1,029,000 (includes right-of-way acquisition).

Grants & Incentives for Economic Development

This Project Plan Amendment #5 accounts for grants and incentives for economic development of \$75,000.

Administrative & Legal

Expenditures on necessary additional administrative and legal expenses of approximately of \$603,523.

VILLAGE OF PLEASANT PRAIRIE TAX INCREMENT DISTRICT #2 AMENDMENT NO. 5

Statement of Findings

The Village of Pleasant Prairie finds as follows: The proposed project plan is feasible and in conformity with the master plan of the Village.

- 1) Statute 66.1105(4)(gm)(4)(a): Not less than fifty percent (50%) by area, of the real property within the proposed district, is suitable for industrial sites within the meaning of Section 66.1101 of the Wisconsin Statutes and has been zoned for industrial use.
- 2) Statute 66.1105(4)(gm)(4)(b): The improvement of the area will significantly enhance the value of substantially all other real property within the proposed district.
- 3) Statute 66.1105(4)(gm)(4)(bm): The proposed project costs within Tax Increment District #2 relate directly to promoting industrial development consistent with the purpose for which the Tax Increment District was created.
- 4) Statute 66.1105(4)(17)(c): **EXCEPTIONS TO THE 12 PERCENT LIMIT.** *Village of Pleasant Prairie exception.* With regard to the 12 percent limit described under sub. (4)(gm)4.c., the following limit applies to the village of Pleasant Prairie:

66.1105(17)(c)2: If the village would like to amend the project plan of an existing district to add territory to that district, the sum of the following amounts may not exceed 12 percent of the total equalized value of taxable property within the village: the equalized value of the taxable property to be added to the district; the value increment of all existing districts in the village, other than Tax Incremental District Number 2; and 1.33 times the tax incremental base of Tax Incremental District Number 2.

2013 equalized value of taxable property to be added:	\$ 1,144,300
2013 equalized value increment of all other districts:	90,500
1.33 times the tax incremental base of the existing Tax Incremental District Number 2:	110,409,800
Combined equalized value of property to be added, increment of all other existing districts, and 1.33 times the base of Tax Incremental District 2:	111,644,600
12 percent of the total 2013 equalized value of taxable property in the village:	\$296,317,000

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

Project Cost Summary

Project	2014	2012	Difference
Administration	\$4,651,835	\$4,048,312	\$603,523
Roadways	\$23,222,472	\$15,760,472	\$7,462,000
Storm Sewers	\$5,227,743	\$3,735,743	\$1,492,000
Sanitary Sewer	\$13,519,940	\$9,335,956	\$4,183,984
Water Main	\$18,037,143	\$14,256,143	\$3,781,000
Grading & Storm Water Management	\$13,929,263	\$4,780,741	\$9,148,522
Land Acquisitions	\$16,760,710	\$16,531,239	\$229,471
KABA Loan Fund	\$2,000,000	\$2,000,000	
Dark Fiber	\$1,853,293	\$1,853,293	
Uline Site Improvements	\$17,232,940	\$17,232,940	
Park and Ride Lot	\$2,089,000	\$1,678,000	\$411,000
Grants & Incentives for Economic Development	\$1,316,000	\$1,316,000	
Other	\$2,733,599	\$1,704,199	\$1,029,400
TOTAL FOR ALL PROJECTS	\$122,573,939	\$94,233,039	\$28,340,900

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

Project Summary Schedule

Year	Planning Administration and Other	Project Cost	Total
1999	\$120,917	\$93,945	\$214,862
2000	\$128,489	\$2,491,711	\$2,620,200
2001	\$143,969	\$6,326,952	\$6,470,921
2002	\$77,083	\$6,470,860	\$6,547,942
2003	\$157,930	\$5,541,556	\$5,699,486
2004	\$138,472	\$13,289,646	\$13,428,119
2005	\$141,270	\$2,983,648	\$3,124,918
2006	\$262,889	\$3,100,340	\$3,363,229
2007	\$684,854	\$2,208,108	\$2,892,963
2008	\$300,031	\$14,908,908	\$15,208,939
2009	\$166,554	\$10,326,212	\$10,492,766
2010	\$247,366	\$6,598,451	\$6,845,817
2011	\$203,487	\$686,514	\$890,001
2012	\$311,394	\$134,982	\$446,376
2013	\$377,130	\$889,184	\$1,226,314
2014	\$290,000	\$14,994,779	\$15,284,779
2015	\$250,000	\$15,735,307	\$15,985,307
2016	\$250,000	\$3,000,000	\$3,250,000
2017	\$200,000	\$3,398,000	\$3,598,000
2018	\$200,000	\$4,743,000	\$4,943,000
Total	\$4,651,835	\$117,922,104	\$122,573,939

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

Economic Feasibility Study

Total Project costs have increased by \$28,340,900.

A January, 2014 Economic Feasibility Study has been updated and is included as part of this Amendment #5 Project Plan.

Summary

Revenue Projections

Cash Flow Projections

Supporting future TID #2 Debt Service Schedules

Village of Pleasant Prairie

TID No. 2 - As Amended

Original Creation Date: July 19, 1999 - Dissolution Date: July 19, 2022

Revenue Projections - Includes 08/01/14 and 03/01/17 Refundings

Date Prepared: 01/15/14

Taxable Incremental Value																
Amount of Change		Total Incremental Value			For Collection Year	Tax Rate	Tax Increment Collections	Interest Income	Other Income	Bond Premium	Capitalized Interest	Note Refunding Proceeds	Proceeds of Land Sale	Grants	Total Revenues	Collection Year
When	How Much	As Of	Amount													
				2000				34,123 (A)			600,559 (C)				634,682	2000
1999	6,987,200 (A)	01/01/00	6,987,200 (A)	2001	20.27 (A)	141,574 (A)	15,992 (A)								157,566	2001
2000	18,969,400 (A)	01/01/01	25,956,600 (A)	2002	19.33 (A)	530,340 (A)	8,610 (A)	13,111 (A)	361,254 (D)						913,315	2002
2001	47,548,600 (A)	01/01/02	73,505,200 (A)	2003	19.86 (A)	1,122,738 (B)	10,954 (A)	41,972 (A)	-						1,175,664	2003
2002	22,707,200 (A)	01/01/03	96,212,400 (A)	2004	19.36 (A)	1,867,024 (A)	11,631 (A)	53,971 (A)	-						1,932,626	2004
2003	39,998,000 (A)	01/01/04	136,210,400 (A)	2005	18.86 (A)	2,572,124 (A)	45,900 (A)	71,762 (A)	-						2,689,786	2005
2004	(5,753,500) (A)	01/01/05	130,456,900 (A)	2006	17.24 (A)	2,242,205 (A)	77,326 (A)	37,468 (A)	-						2,356,999	2006
2005	29,372,400 (A)	01/01/06	159,829,300 (A)	2007	16.83 (A)	2,689,676 (A)	73,090 (A)	13,278 (A)	-						2,776,044	2007
2006	47,011,300 (A)	01/01/07	206,840,600 (A)	2008	16.83 (A)	3,481,659 (A)	91,468 (A)	68,177 (A)	255,476 (F)		6,967,696 (G)				10,864,476	2008
2007	47,178,800 (A)	01/01/08	254,019,400 (A)	2009	17.41 (A)	4,422,515 (A)	7,440 (A)	15,480 (A)	677,496 (H)				2,000,000		7,122,931	2009
2008	8,463,300 (A)	01/01/09	262,482,700 (A)	2010	18.14 (A)	4,753,783 (A)	20,111 (A)	61,095 (A)	-				2,000,000		6,834,989	2010
2009	78,309,000 (A)	01/01/10	340,791,700 (A)	2011	20.27 (A)	6,903,274 (A)	28,508 (A)	43,580 (A)	-				3,200,000 (A)		10,175,362 (A)	2011
2010	4,960,000 (A)	01/01/11	344,431,600 (A)	2012	21.02 (A)	7,238,121 (A)	12,470 (A)	86,139 (A)	220,867 (J)		2,584,060 (K)		-		10,141,657 (A)	2012
2011	13,450,600 (A)	01/01/12	357,882,200 (A)	2013	22.82 (A)	8,165,594 (A)	10,000 (N)	479,000 (L)	-				-		8,654,594	2013
2012	(22,326,600) (A)	01/01/13	335,555,600 (A)	2014	23.34 (A)	7,833,449 (A)	10,000 (N)	170,213 (M)	1,664,644 (N)		4,080,000 (O)		-		13,758,306	2014
2013	42,033,900 (E)	01/01/14	377,589,500 (N)	2015	22.65 (N)	8,552,402 (N)	15,000 (N)	100,000 (N)	-				370,000		9,037,402	2015
2014	29,673,500 (E)	01/01/15	407,263,000	2016	22.00	8,959,786	15,000	100,000	-				1,500,000		10,574,786	2016
2015	45,076,400 (E)	01/01/16	452,339,400	2017	21.50	9,725,297	15,000	100,000	-		4,000,000 (P)		-		13,840,297	2017
2016	26,258,500 (E)	01/01/17	478,597,900	2018	21.00	10,050,556	15,000	100,000	-			2,150,000	-		12,315,556	2018
2017	48,088,800 (E)	01/01/18	526,686,700	2019	20.50	10,797,077	15,000	100,000	-				-		10,912,077	2019
2018	26,415,600 (E)	01/01/19	553,102,300	2020	20.00	11,062,046	15,000	100,000	-			2,150,000	-		13,327,046	2020
2019	51,234,400 (E)	01/01/20	604,336,700	2021	20.00	12,086,734	15,000	100,000	-				-		12,201,734	2021
2020	26,579,000 (E)	01/01/21	630,915,700	2022	20.00	12,618,314	15,000	100,000	-			5,250,000	-		17,983,314	2022
2021	54,518,800 (E)	01/01/22	685,434,500	2023	20.00	13,708,690	15,000	100,000	-				-		13,823,690	2023
						<u>137,816,289</u>	<u>592,623</u>	<u>2,055,246</u>	<u>3,179,737</u>	<u>600,559</u>	<u>17,631,756</u>	<u>9,550,000</u>	<u>9,070,000</u>	<u>194,204,900</u>		

(A) Actual

(B) \$1,491,802 less transfer of \$369,064 to terminated TID No. 3 = \$1,122,738

(C) Issue dated 01/31/00 - \$5,600,000 G.O. Promissory Notes

(D) \$305,828 from \$8,250,000 BAN dated 10/15/02 and \$55,426 from \$1,789,000 portion of \$4,385,000 G.O. issue dated 10/15/02

(E) Estimated by the Village and updated on 01/06/14

(F) Premium received \$470,037 on \$9,525,000 Series 2008A Notes dated 02/19/08 less issuance costs of \$214,561 = \$255,476

(G) Total proceeds of \$7,467,696 received at closing for \$7,625,000 Taxable G.O. Promissory Notes Series 2008D dated 06/16/08 less \$500,000 to TID No. 2 Capital Projects Fund

(H) 2009A Notes dated 01/21/09 = \$100,955; 2009B Notes dated 02/19/09 = \$576,541; total of \$677,496

(J) 2012 Bonds dated 10/25/12

(K) Proceeds from partial refunding on 11/01/12 of 02/01/13 maturity of \$9,525,000 G.O. Promissory Notes dated 02/19/08.

(L) \$88,213 Computer Aid plus \$390,787 of Other Income = \$479,000

(M) \$130,213 Computer Aid plus \$40,000 of Other Income = \$170,215

(N) Estimated

(O) Reflects projected refunding on 08/01/14 of 09/01/15 maturity of \$10,355,000 G.O. Notes dated 02/19/08.

(P) Reflects projected partial refunding on 03/01/17 of 09/01/17 maturity of \$13,865,000 G.O. Bonds dated 05/03/04.

NOTE: TID No. 2 Base Value = \$54,504,700. As amended \$83,014,900

**Village of Pleasant Prairie
TID No. 2 - As Amended**

Original Creation Date: July 19, 1999 - Dissolution Date: July 19, 2022

Cash Flow Projections - Includes 08/01/14 and 03/01/17 Refundings

Date Prepared: 01/15/14

Collection Year	Total Revenues	Existing Debt								Projected Debt							Transfer to Capital Project Fund	Net Fund Balance	Collection Year	
		Previous Debt Issues Not Outstanding 12/31/13	(B) \$13,865,000 G.O. Ref. Bonds 05/03/04	\$10,355,000 G.O. Ref. Bonds 02/19/08	\$6,000,000 G.O. Prom. Notes 01/21/09	\$10,800,000 of \$20,700,000 Series 2009B Prom. Notes 02/19/09	\$6,735,000 Taxable G.O. Prom. Notes (With BAB Subsidy) 09/01/10	\$2,635,000 G.O. Ref. Bonds 10/25/12	Total Existing Debt Service	Fund Balance	(G) Less Projected \$14,985,000 G.O. Prom. Notes 03/01/14	(H) Less Projected \$4,160,000 G.O. Ref. Bonds 08/01/14	(J) Less Projected \$15,990,000 G.O. Prom. Notes 06/01/15	(K) Less Projected \$3,060,000 G.O. Prom. Notes 06/01/16	(L) Less Projected \$4,000,000 G.O. Ref. Bonds 03/01/17	(M) Less Projected \$3,465,000 G.O. Prom. Notes 06/01/17				(N) Less Projected \$4,830,000 G.O. Prom. Notes 06/01/18
			Callible 09/01/15	Callible 09/01/14	N/C	Callible 09/01/17	N/C	N/C												
2000	634,682	257,522						257,522	377,160									377,160	2000	
2001	157,566	308,000						308,000	226,726									226,726	2001	
2002	913,315	526,544						526,544	613,497									613,497	2002	
2003	1,175,664	1,423,961						1,423,961	365,200									365,200	2003	
2004	1,932,626	1,347,118	227,232					1,574,350	723,476									723,476	2004	
2005	2,689,786	1,615,993	693,250					2,309,243	1,104,019									1,104,019	2005	
2006	2,356,999	1,796,381	693,250					2,489,631	971,387									971,387	2006	
2007	2,776,044	3,001,508	693,250					3,694,758	52,673									52,673	2007	
2008	10,864,476	11,133,589	693,250	221,667				12,048,506	(1,131,357)									(1,131,357)	2008	
2009	7,122,931	2,181,276	693,250	415,625	122,986	250,053		3,663,190	2,328,384 (A)									2,328,384	2009	
2010	6,834,989	4,712,031	693,250	415,625	201,250	468,850		6,491,006	2,672,367 (A)									2,672,367	2010	
2011	10,175,362	7,264,531	693,250	415,625	201,250	468,850	154,462	9,197,968	3,649,761 (A)									3,649,761	2011	
2012	10,141,657	10,845,688	693,250	415,625	201,250	468,850	142,580	12,767,243	1,024,175 (A)									1,024,175 (A)	2012	
2013	8,654,594	2,050,000	693,250	3,015,625	1,701,250	468,850	148,400	8,159,930	1,518,839									1,518,839	2013	
2014	13,758,306		693,250	8,086,125 (F)	2,152,500	468,850	148,109	11,920,884	3,356,261									3,356,261	2014	
2015	9,037,402		4,693,250		2,587,500	468,850	142,581	8,060,231	4,333,432	946,263	169,000							3,218,170	2015	
2016	10,574,786		4,493,250 (C)			3,468,850	142,581	8,861,231	6,046,987	667,950	156,000	799,500					150,000	3,158,275	2016	
2017	13,840,297		6,058,250 (D)			4,003,500	1,132,798	11,930,098	7,957,186	667,950	156,000	639,600	153,000	80,000			125,000	3,246,924	2017	
2018	12,315,556					4,357,500 (C)	5,796,508	10,474,558	9,798,184	667,950	156,000	639,600	122,400	160,000	173,250		100,000	3,068,722	2018	
2019	10,912,077							543,025	20,167,237	8,797,950	156,000	639,600	122,400	160,000	138,600	241,500	50,000	3,131,724	2019	
2020	13,327,046							0	33,494,283	7,197,750	4,316,000	1,199,600	122,400	160,000	138,600	193,200		3,131,220	2020	
2021	12,201,734							0	45,696,017			11,602,200	122,400	160,000	138,600	193,200		3,116,554	2021	
2022	17,983,314							0	63,679,331			4,622,800	3,182,400	4,160,000	3,603,600	2,493,200		3,037,868	2022	
2023	13,823,690							0	77,503,021						2,631,200			14,230,358	2023	
	<u>194,204,900</u>	<u>48,464,142</u>	<u>22,404,482</u>	<u>12,985,917</u>	<u>7,167,986</u>	<u>14,893,003</u>	<u>7,808,019</u>	<u>2,978,330</u>	<u>116,701,879</u>	<u>18,945,813</u>	<u>5,109,000</u>	<u>20,142,900</u>	<u>3,825,000</u>	<u>4,880,000</u>	<u>4,192,650</u>	<u>5,752,300</u>	<u>425,000</u>			

(A) Actual
 (B) Represents Refinancing of \$5,600,000 G.O. Notes dated 01/31/00 and \$8,250,000 Revenue BANs dated 10/15/02 on 05/03/04
 (N/C) Non-Callible
 (C) Year that is callable
 (D) Reflects partial refunding of 09/01/17 principal payment.
 (F) Reflects Call of 09/01/15 principal in the amount of \$4,080,000 on 09/01/14
 (G) 2014 Project Plan Expenditures \$14,994,779.
 (H) Projected Refunding of \$10,355,000 Bonds dated 02/19/08 on 09/01/14.
 (J) 2015 Project Plan Expenditures \$15,735,307.
 (K) 2016 Project Plan Expenditures \$3,000,000.
 (L) Projected Partial Refunding of \$13,865,000 Bonds dated 05/03/04 on 03/01/17.
 (M) 2017 Project Plan Expenditures \$3,398,000.
 (N) 2018 Project Plan Expenditures \$4,743,000.

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

**Determination of Historic Percent of Tax Rate
For Overlapping Taxing Districts**

Budget Year	Village	All School Districts	Gateway Technical College	Kenosha County	Total
2014	4.37	10.31	1.60	5.39	21.67
2013	4.31	9.96	1.55	5.22	21.04
2012	4.01	9.37	1.41	4.73	19.52
2011	3.99	9.28	1.41	4.64	19.32
2010	3.40	7.64	1.26	4.12	16.42
2009	3.38	7.54	1.24	4.07	16.23
	<u>23.46</u>	<u>54.10</u>	<u>8.47</u>	<u>28.17</u>	<u>114.20</u>

		Percent of Total
Village of Pleasant Prairie	23.46	20.54%
Kenosha Unified School District	54.10	47.37%
Gateway Technical College	8.47	7.42%
Kenosha County & Library	28.17	24.67%
	<u>114.20</u>	<u>100.00%</u>

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

Share of Tax Increments Paid by Other Taxing Entities

Year	Projected Tax Increment	All School Districts 47.37%	Kenosha County 24.67%	Gateway Technical Institute 7.42%
2015	\$7,164,482	3,393,815	1,767,478	531,605
2016	\$7,757,952	3,674,942	1,913,887	575,640
2017	\$8,659,480	4,101,996	2,136,294	642,533
2018	\$9,184,650	4,350,769	2,265,853	681,501
2019	10,146,426	4,806,362	2,503,123	752,865
2020	10,674,738	5,056,623	2,633,458	792,066
2021	11,699,426	5,542,018	2,886,248	868,097
2022	12,231,006	5,793,828	3,017,389	907,541
2023	13,321,382	6,310,339	3,286,385	988,447
2024	13,856,358	6,563,757	3,418,364	1,028,142
2025	15,015,324	7,112,759	3,704,280	1,114,137
	<u>119,711,224</u>	<u>56,707,207</u>	<u>29,532,759</u>	<u>8,882,573</u>

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

**Description of Financing Methods and
When such Costs are to be Incurred**

The Village may issue general obligation promissory notes or general obligation refunding bonds to finance project costs. The general obligation promissory note financings will occur in the years that project costs will be expended as detailed in the project plan. All the debt, being general obligation, will count against the Village of Pleasant Prairie legal debt limitations.

Land sales and grants will also be used to fund project costs. Land acquired along I-94, owned by the Community Development Authority (CDA) will be sold within the next six (6) years.

Village of Pleasant Prairie

\$14,985,000.00 G.O. Promissory Notes, Series 2014A - Dated 04/01/14

TID No. 2 Projects

Preliminary Estimate

Debt Service Schedule -- Accrual Basis

Calendar Year	Principal	Coupon	Interest	Total P+I
2014	-	-	-	-
2015	-	-	946,262.50	946,262.50
2016	-	-	667,950.00	667,950.00
2017	-	-	667,950.00	667,950.00
2018	-	-	667,950.00	667,950.00
2019	8,130,000.00	4.000%	667,950.00	8,797,950.00
2020	6,855,000.00	5.000%	342,750.00	7,197,750.00
-	\$14,985,000.00	-	\$3,960,812.50	\$18,945,812.50

Yield Statistics

Bond Year Dollars	\$88,023.75
Average Life	5.874 Years
Average Coupon	4.4997089%
Net Interest Cost (NIC)	2.5770202%
True Interest Cost (TIC)	2.4180494%
Bond Yield for Arbitrage Purposes	2.1787593%
All Inclusive Cost (AIC)	2.4525551%

IRS Form 8038

Net Interest Cost	2.0709559%
Weighted Average Maturity	5.886 Years

Village of Pleasant Prairie

\$4,160,000.00 G.O. Refunding Bonds, Series 2014 - Dated 08/01/14

TID No. 2 - Refunding of 09/01/15 Maturity of 2008 Bonds Dated 02/19/08

Estimated Projection

Debt Service Schedule -- Accrual Basis

Calendar Year	Principal	Coupon	Interest	Total P+I
2014	-	-	-	-
2015	-	-	169,000.00	169,000.00
2016	-	-	156,000.00	156,000.00
2017	-	-	156,000.00	156,000.00
2018	-	-	156,000.00	156,000.00
2019	-	-	156,000.00	156,000.00
2020	4,160,000.00	3.750%	156,000.00	4,316,000.00
-	\$4,160,000.00	-	\$949,000.00	\$5,109,000.00

Yield Statistics

Bond Year Dollars	\$25,306.67
Average Life	6.083 Years
Average Coupon	3.7500000%
Net Interest Cost (NIC)	3.7500000%
True Interest Cost (TIC)	3.7420978%
Bond Yield for Arbitrage Purposes	3.7420978%
All Inclusive Cost (AIC)	3.7420978%

IRS Form 8038

Net Interest Cost	3.7500000%
Weighted Average Maturity	6.083 Years

Village of Pleasant Prairie

\$15,990,000.00 G.O. Promissory Notes, Series 2015 - Dated 06/01/15

TID No. 2 Projects

Estimated Projection

Debt Service Schedule -- Accrual Basis

Calendar Year	Principal	Coupon	Interest	Total P+I
2015	-	-	-	-
2016	-	-	799,500.00	799,500.00
2017	-	-	639,600.00	639,600.00
2018	-	-	639,600.00	639,600.00
2019	-	-	639,600.00	639,600.00
2020	560,000.00	4.000%	639,600.00	1,199,600.00
2021	10,985,000.00	4.000%	617,200.00	11,602,200.00
2022	4,445,000.00	4.000%	177,800.00	4,622,800.00
-	\$15,990,000.00	-	\$4,152,900.00	\$20,142,900.00

Yield Statistics

Bond Year Dollars	\$103,822.50
Average Life	6.493 Years
Average Coupon	4.0000000%
Net Interest Cost (NIC)	4.2156180%
True Interest Cost (TIC)	4.2464152%
Bond Yield for Arbitrage Purposes	3.9974399%
All Inclusive Cost (AIC)	4.2800942%

IRS Form 8038

Net Interest Cost	4.0000000%
Weighted Average Maturity	6.493 Years

Village of Pleasant Prairie

\$3,060,000.00 G.O. Promissory Notes, Series 2016 - Dated 06/01/16

TID No. 2 Projects

Estimated Projection

Debt Service Schedule -- Accrual Basis

Calendar Year	Principal	Coupon	Interest	Total P+I
2016	-	-	-	-
2017	-	-	153,000.00	153,000.00
2018	-	-	122,400.00	122,400.00
2019	-	-	122,400.00	122,400.00
2020	-	-	122,400.00	122,400.00
2021	-	-	122,400.00	122,400.00
2022	3,060,000.00	4.000%	122,400.00	3,182,400.00
-	\$3,060,000.00	-	\$765,000.00	\$3,825,000.00

Yield Statistics

Bond Year Dollars	\$19,125.00
Average Life	6.250 Years
Average Coupon	4.0000000%
Net Interest Cost (NIC)	4.2240000%
True Interest Cost (TIC)	4.2546283%
Bond Yield for Arbitrage Purposes	3.9973545%
All Inclusive Cost (AIC)	4.3518050%

IRS Form 8038

Net Interest Cost	4.0000000%
Weighted Average Maturity	6.250 Years

Village of Pleasant Prairie

\$4,000,000.00 G.O. Refunding Bonds, Series 2017 - Dated 03/01/17

TID No. 2 - Partial Refunding of 09/01/17 Maturity of 2004 Bonds Dated 05/03/04

Estimated Projection

Debt Service Schedule -- Accrual Basis

Calendar Year	Principal	Coupon	Interest	Total P+I
2017	-	-	80,000.00	80,000.00
2018	-	-	160,000.00	160,000.00
2019	-	-	160,000.00	160,000.00
2020	-	-	160,000.00	160,000.00
2021	-	-	160,000.00	160,000.00
2022	4,000,000.00	4.000%	160,000.00	4,160,000.00
-	\$4,000,000.00	-	\$880,000.00	\$4,880,000.00

Yield Statistics

Bond Year Dollars	\$22,000.00
Average Life	5.500 Years
Average Coupon	4.0000000%
Net Interest Cost (NIC)	4.0000000%
True Interest Cost (TIC)	4.0000000%
Bond Yield for Arbitrage Purposes	4.0000000%
All Inclusive Cost (AIC)	4.0000000%

IRS Form 8038

Net Interest Cost	4.0000000%
Weighted Average Maturity	5.500 Years

Village of Pleasant Prairie

\$3,465,000.00 G.O. Promissory Notes, Series 2017 - Dated 06/01/17

TID No. 2 Projects

Estimated Projection

Debt Service Schedule -- Accrual Basis

Calendar Year	Principal	Coupon	Interest	Total P+I
2017	-	-	-	-
2018	-	-	173,250.00	173,250.00
2019	-	-	138,600.00	138,600.00
2020	-	-	138,600.00	138,600.00
2021	-	-	138,600.00	138,600.00
2022	3,465,000.00	4.000%	138,600.00	3,603,600.00
-	\$3,465,000.00	-	\$727,650.00	\$4,192,650.00

Yield Statistics

Bond Year Dollars	\$18,191.25
Average Life	5.250 Years
Average Coupon	4.0000000%
Net Interest Cost (NIC)	4.2666667%
True Interest Cost (TIC)	4.2973803%
Bond Yield for Arbitrage Purposes	3.9969104%
All Inclusive Cost (AIC)	4.3975731%

IRS Form 8038

Net Interest Cost	4.0000000%
Weighted Average Maturity	5.250 Years

Village of Pleasant Prairie

\$4,830,000.00 G.O. Promissory Notes, Series 2018 - Dated 06/01/18

TID No. 2 Projects

Estimated Projection

Debt Service Schedule -- Accrual Basis

Calendar Year	Principal	Coupon	Interest	Total P+I
2018	-	-	-	-
2019	-	-	241,500.00	241,500.00
2020	-	-	193,200.00	193,200.00
2021	-	-	193,200.00	193,200.00
2022	2,300,000.00	4.000%	193,200.00	2,493,200.00
2023	2,530,000.00	4.000%	101,200.00	2,631,200.00
-	\$4,830,000.00	-	\$922,300.00	\$5,752,300.00

Yield Statistics

Bond Year Dollars	\$23,057.50
Average Life	4.774 Years
Average Coupon	4.0000000%
Net Interest Cost (NIC)	4.2932668%
True Interest Cost (TIC)	4.3243904%
Bond Yield for Arbitrage Purposes	3.9966301%
All Inclusive Cost (AIC)	4.4027451%

IRS Form 8038

Net Interest Cost	4.0000000%
Weighted Average Maturity	4.774 Years

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

**Proposed changes to
Village Zoning Ordinances, Village Master Plan,
Village Master Plan Map,
Municipal Building Codes and Village Ordinances**

Four (4) properties are affected with proposed amendments to the Village 2035 Comprehensive (Master) Plan Map (Project Plan Maps 9 & 10) and three (3) properties are affected with proposed amendments to the Village Zoning Map (Project Plan Maps 7 & 8). The affected parcels are generally located along the I-94 East Frontage Road, both north and south of State Trunk Highway 165 (104th Street).

Proposed Village 2035 Comprehensive (Master) Land Use Plan Map amendments:

Map 9 illustrates the existing Land Use Plan Map designations within Tax Incremental District No. 2 (TID 2) and Map 10 illustrates the proposed Land Use Plan Map designations within TID 2.

The proposed Comprehensive Land Use Map amendments on Map 10 include the following changes:

1. Tax Parcel Number 92-4-122-192-0125 (10.46 acres, owned by WisPark LLC) – Amend portions of the parcel from the current Freeway Office Center (Commercial) designation (shown as “red” on Map 9) to Production Manufacturing (Industrial) designation (shown as “gray” on Map 10). A letter “P” will be inserted on the 2035 Comprehensive Plan Land Use Map to designate the parcel as appropriate for “Production Manufacturing”. All other land use designations on the property will remain unchanged.
2. Tax Parcel Number 92-4-122-193-0302 (11.52 acres, owned by Village of Pleasant Prairie Community Development Authority (“CDA”) – Amend portions of the parcel from the current Freeway Office Center (Commercial) designation (shown as “red” on Map 9) to Production Manufacturing (Industrial) designation (shown as “gray” on Map 10). A letter “P” will be inserted on the 2035 Comprehensive Land Use Plan Map to designate the parcel as appropriate for “Production Manufacturing”. All other land use designations on the property will remain unchanged.
3. Tax Parcel Number 92-4-122-193-0161 (12.27 acres, owned by WisPark LLC) – Amend the parcel from the current Freeway

Office Center (Commercial) designation (shown as "red" on Map 9) to Freeway-Oriented Service Center (Commercial) designation (shown as "red" on Map 10). A letter "F" will be inserted on the 2035 Comprehensive Land Use Plan Map to designate the parcel as appropriate for "Freeway-Oriented Service Center".

4. Tax Parcel Number 92-4-122-303-0300 (31.08 acres, owned by Ries Partners LP) - Amend portions of the parcel from the current Freeway-Oriented Regional Retail Center (Commercial) designation (shown as "red" on Map 9) to Production Manufacturing (Industrial) designation (shown as "gray" on Map 10). The lettering "P/R" will be inserted on the 2035 Comprehensive Land Use Plan Map to designate the parcel as appropriate for either "Production Manufacturing" or "Freeway-Oriented Regional Retail". All other land use designations on the property will remain unchanged. *An asterisk (*) has been to this parcel with notation in the Map 10 legend that the future land use for this parcel is also designated as appropriate for commercial uses.*

Proposed Rezoning:

Map 7 illustrates the existing Zoning District boundaries within Tax Incremental District No. 2 and Map 8 illustrates the proposed Zoning District boundaries within the District.

The proposed Zoning Map amendments on Map 8 include the rezoning:

1. Tax Parcel Number 92-4-122-192-0125 (10.46 acres, owned by WisPark LLC) – Rezone portions of the parcel from the current B-5, Freeway Office District (shown as "red" on Map 7) designation to M-5, Production Manufacturing District (shown as "gray" on Map 8) designation. All other zoning designations on the property will remain unchanged.
2. Tax Parcel Number 92-4-122-193-0302 (11.52 acres, owned by the CDA) – Rezone portions of the parcel from the current B-5, Freeway Office District (shown as "red" on Map 7) designation to M-5, Production Manufacturing District (shown as "gray" on Map 8) designation. All other zoning designations on the property will remain unchanged.
3. Tax Parcel Number 92-4-122-193-0161 (12.27 acres, owned by WisPark LLC) – Rezone from the current B-5, Freeway Office District (shown as "red" on Map 7) designation to B-4, Freeway Service Business District (also shown as "red" on Map 8) designation.

Proposed Village 2035 Comprehensive (Master) Plan and Municipal Code changes:

To reflect the proposed above-noted Comprehensive (Master) Land Use Plan Map amendments, the following necessary corresponding changes will be completed:

1. Changes to the text of the 2035 Comprehensive Plan:
 - Update Appendix 10-3 entitled "Amendments to the 2035 Land Use Plan Map 9.9" of the Village 2035 Comprehensive Plan to include the proposed amendments.
2. Changes to the text of the Village Municipal Code:
 - Update Appendix A in Chapter 390 entitled "Comprehensive Plan" to include the above-noted 2035 Comprehensive Plan amendments.

Other than the above-noted changes, Amendment #5 proposes no changes to Village Zoning Ordinances, Municipal Building Codes, or Village Ordinances.

Non-Project Costs

There are no non-project costs associated with the Amendment #5 improvements that will be constructed in Tax Increment District No. 2.

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

Relocation Plan of Displaced Persons and/or Property

There will be no relocation of displaced persons or property resulting from the activities associated with and outlined in this Amendment #5 Project Plan to Tax Incremental District #2.

VILLAGE OF PLEASANT PRAIRIE TAX INCREMENT DISTRICT #2 AMENDMENT #5

Promotion of the Orderly Development of the Village of Pleasant

This 5th Amendment of TID #2 will promote the orderly development of the Village of Pleasant Prairie:

- 1) Through the continuance of directing development within the boundaries of TID #2 whereby the development of the land within TID #2 will increase the tax increment revenue.
- 2) Through obtaining the desired industrial development within the TID where the development would not have occurred but for the creation of the TID.
- 3) By following the guidelines of the adopted Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan ("Plan"), which includes the Master Land Use Plan and is the community's guide and framework for the planning of future orderly growth and development. The Plan, which complies with Wisconsin's Smart Growth Laws, was adopted by the Village Board by Ordinance #09-59 on December 21, 2009. The Plan reflects the need for quality industrial development along the both the east and west side of the I-94 corridor and within the LakeView East and West Corporate Park located east of I-94. The orderly development of industrial land uses in these areas will take advantage of existing transportation facilities and will not have any deleterious effects on different land uses within the Village of Pleasant Prairie. The Plan sets forth and promotes specific economic development goals along with objectives and recommendations to achieve the overall goals of the Plan. Some of the goals, objectives and recommendations that are pertinent to this Amendment #5 to TID #2 in promoting the orderly development of the Village are to:
 - Promote an adequate number of jobs in the Village to serve the projected 2035 population of 31,205 persons.
 - Promote the addition of approximately 17,875 jobs in the Village through the comprehensive plan design year of 2035, for a total of approximately 28,871 jobs in 2035.
 - Promote an adequate supply of workers to meet the employment needs of businesses located in the Village.
 - Encourage business development that provides a living wage for its employees and enables employees to afford housing.
 - Attract desirable businesses to the Village and maintain and enhance the positive attributes or strengths of the Village for attracting desirable businesses.
 - Retain and grow existing businesses in the Village.
 - Consider the use of Tax Increment Finance Districts to continue to attract industrial, commercial and mixed use developments.
 - Promote commercial and industrial development in business/industrial parks and existing Tax Increment Finance Districts as discussed in this Chapter.
 - Promote economic development incentives to attract businesses to Kenosha County and to retain existing businesses.

- Encourage Kenosha County to continue administration of the Kenosha County Revolving Loan Fund to create employment opportunities, encourage private investment, and provide a means to finance new and expanding businesses, including small businesses.
- Promote the development of new businesses, or business expansion, in areas with existing infrastructure and community services, or in areas near or contiguous to existing service areas that can readily be served by extending infrastructure.
- On June 17, 2013 Village Board of Trustees-adopted Ordinance No. 13-22 that created a new M-5, Production Manufacturing Zoning District. The M-5 District allows for specific manufacturing, production and office uses within areas that are zoned M-5, such as the proposed Riverview Corporate Park (southeast of Premium Outlets Mall) and properties along the west side of I-94, south of CTH Q. The new M-5 District is intended 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 the M-5 District.
 - Encourage and promote more intensive land uses which in turn promotes greater employment opportunities.
 - Reflect an enhancement of the Village's public policy of sound and diversified economic development.
 - Conserve land resources and economic infrastructure support in order to assist in providing more employment opportunities in the Village.
 - Increases the number of jobs per acre, which is good for the community.

**VILLAGE OF PLEASANT PRAIRIE
TAX INCREMENT DISTRICT #2
AMENDMENT #5**

Legal Description

Part of Sections 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32 and 33 in Town 1 North, Range 22 East & part of Sections 13, 24, & 25 in Town 1 North, Range 21 East of the 4th principle meridian said lands being in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin, more accurately described as follows:

Commence at the NE corner of Lot 1 Certified Survey Map 2686, said survey map being located in the NW ¼ of section 22 Town 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin; thence westerly 1,489.59' along the north line of said lot and the north line of Lot 4 of CSM 2357 to a point in intersection with the east line of the Union Pacific Railroad ROW and being the NW corner of Lot 4 of CSM 2357; thence southerly along the east line of the Union Pacific Railway to a point east of the south line of Outlot 11 CSM 1935 extended; thence westerly along the extended south line of Outlot 11 CSM 1935 to the west line of the Union Pacific Railroad ROW also being the SE corner of Outlot 11 CSM 1935; thence westerly along the south line of Outlot 11 and Outlot 12 of CSM 1935 to the east line of 80th Avenue; thence northerly along the east line of 80th Avenue to a point of intersection with the south line of State Trunk Highway 165; thence west across the 80th Street ROW to a point of intersection with Parcel 89 of CSM 2193; thence westerly along the south line of STH 165 to a point of intersection with the east line of 82nd Avenue; thence southerly along the east line of 82nd Avenue to a point of intersection with the north line of Lot 1 CSM 2635 extended; thence westerly to the NW corner of Lot 1 CSM 2635; thence southerly 350.0'; thence west 95.0' to the NE corner of outlot 19 of CSM 2111; thence westerly 50.00' to the NW corner of outlot 19 of CSM 2111; thence south 412.58' to the north line of 107th Street; thence westerly & northerly along the north line of 107th Street and the east line of 86th Avenue to the NW corner of Parcel 63 of CSM 1861; thence westerly across 86th Avenue ROW intersecting the NE corner of Parcel 32 of CSM 1863; thence northerly to the SE corner of Parcel 27 of CSM 2247; thence north easterly along the west line of 86th Avenue to the NE corner of Parcel 27 of CSM 2247; thence westerly along the northern line of Parcel 27 CSM 2247 to the eastern line of 88th Avenue ROW; thence continued West along the extended north line of Parcel 27 CSM 2247 to a point of intersection with the west right-of-way line of 88th Avenue ROW; north along the west line of 88th Avenue to a point being the NE corner of parcel 61 Certified Survey Map 1862; thence westerly 385.34 feet along the north line of said parcel to the NE corner of lot 60 CSM 1862; continue westerly 360.54 feet along the north line of parcel 60 CSM 1862 to the NW corner of said parcel and point of intersection with the east ROW line of the Canadian Pacific Railroad; thence continued westerly along the extended north line of Parcel 60 CSM 1862 to a point of intersection with the west right-of-way line of the Canadian Pacific Railroad; thence northeasterly along the west right-of-way line of the Canadian Pacific Railroad to a point of intersection with the west right-of way line of 88th Avenue; thence north from this point along the western right-of-way line of 88th Avenue to a point of intersection with Terwall Terrace also being the NE most corner of Lot 2 CSM 1806; thence westerly, southerly, and westerly along the east ROW of Terwall Terrace to a point of intersection with the northwest corner of Outlot 1 of CSM 2681; thence northwesterly

across the Terwall Terrace ROW to the NE corner of Outlot 1 CSM 2680; thence westerly along the north line of Outlot 1 CSM 2680 to a point of intersection with the east line of Parcel 13 CSM 1628, said point being 10.01' northwest of the north ROW of STH 165; thence North along the east line of Parcel 13 CSM 1628 381.75'; thence West along the north line of Parcel 13 CSM 1628 175.0'; thence northwesterly along the northern line of Parcel 13 CSM 1628 to a point being the east right-of-way line of Interstate Highway 94; thence Northerly along the east right-of-way line of Interstate 94 to a point of intersection with the south line of lot 22 Certified Survey Map 2177; thence southeasterly along the south line of lot 22 CSM 2177 to the southeastern most point of said parcel; thence northerly along the east line of lot 22 CSM 2177 to a point of intersection with the south line of Outlot 1 CSM 2667 also being the south line of NW ¼ of Section 19, T1N, R22E and said point being 976.02' east of the W ¼ of Section 19, T1N, R22E; thence west along the south line of NW ¼ of Section 19, T1N, R22E to the SE corner of Lot 1 CSM 2667; thence northerly along the east line of Lot 1 CSM 2667 to the NE corner of said lot; thence west along the north line of Lot 1 CSM 2667 to the east right-of-way line of Interstate Highway 94; thence Northerly along the east right-of-way line of Interstate 94 to a point in the NW ¼ of SW ¼ of Section 18, T1N, R22E, said point also known as the northern most point of Parcel 92-4-122-183-0160; thence continue Northwesterly along the extended east line of Parcel 92-4-122-183-0160 to a point of intersection with the centerline of County Trunk Highway "C" (Wilmot Rd); thence Southwesterly along the centerline of County Trunk Highway "C" (Wilmot Rd) crossing Interstate 94 and continuing to a point of intersection with the centerline of 128th Ave said point located in the SW ¼ of the SE ¼ of Section 13, T1N, R21E; thence South along the centerline of 128th Ave to the S 1/4 corner of Section 13, T1N, R21E, said point also known as the N ¼ corner of Section 24, T1N, R21E; thence West along the north line of the NW ¼ of Section 24, T1N, R21E to the west line of the E ½ of the NW ¼ ; thence South along the west line of the E ½ of the NW ¼ and continue south along the west line of the E ½ of the SW ¼ of Section 24, T1N, R21E to the south line of Section 24, T1N, R21E said point also known as the north line of the NW ¼ of Section 25, T1N, R21E; thence West along the north line of Sec 25, T1N, R21E to a point that is 627.0' east of the NW corner of the NW ¼ of said section; thence South 555.98' to a point 627.0' east of the west line of the NW ¼ of Section 25, T1N, R21E; thence west 393.96' to a point 233.04' east of the west line of section 25, T1N, R21E; thence south 2,750.14' to a point 233.04' east of west line of Section 25, T1N, R21E; thence east 1,095.36' to a point; thence South approximately 699.25 feet along the west line of the NE ¼ of the SW ¼ to the SW corner of the NE ¼ of the SW ¼ of said section; thence east 2,651.05 feet to the northwest corner of Parcel A of CSM 603; thence south 300 feet along the western edge of Parcel A and Parcel B of CSM 603; thence east 1042.84 feet to the southeast corner of Parcel B of CSM 603 also being a point of intersection with the west right-of-way line of Interstate Highway 94; thence 300 feet north along the eastern edge of Parcel A and Parcel B of CSM 603 also being the west right-of-way line of Interstate Highway 94 to the northeast corner of Parcel A; thence continued East along the extended north line of lot A Certified Survey Map 603 to a point of intersection with the east right-of-way line of Interstate Highway 94; thence North along east right-of-way line of Interstate Highway 94 to the intersection of the north line of parcel 4 Certified Survey Map 1947, said Certified Survey Map being located in the NW ¼ of Section 30, T1N, R22E; thence East along north line of parcel 4 Certified Survey Map 1947 to the NE corner of Parcel

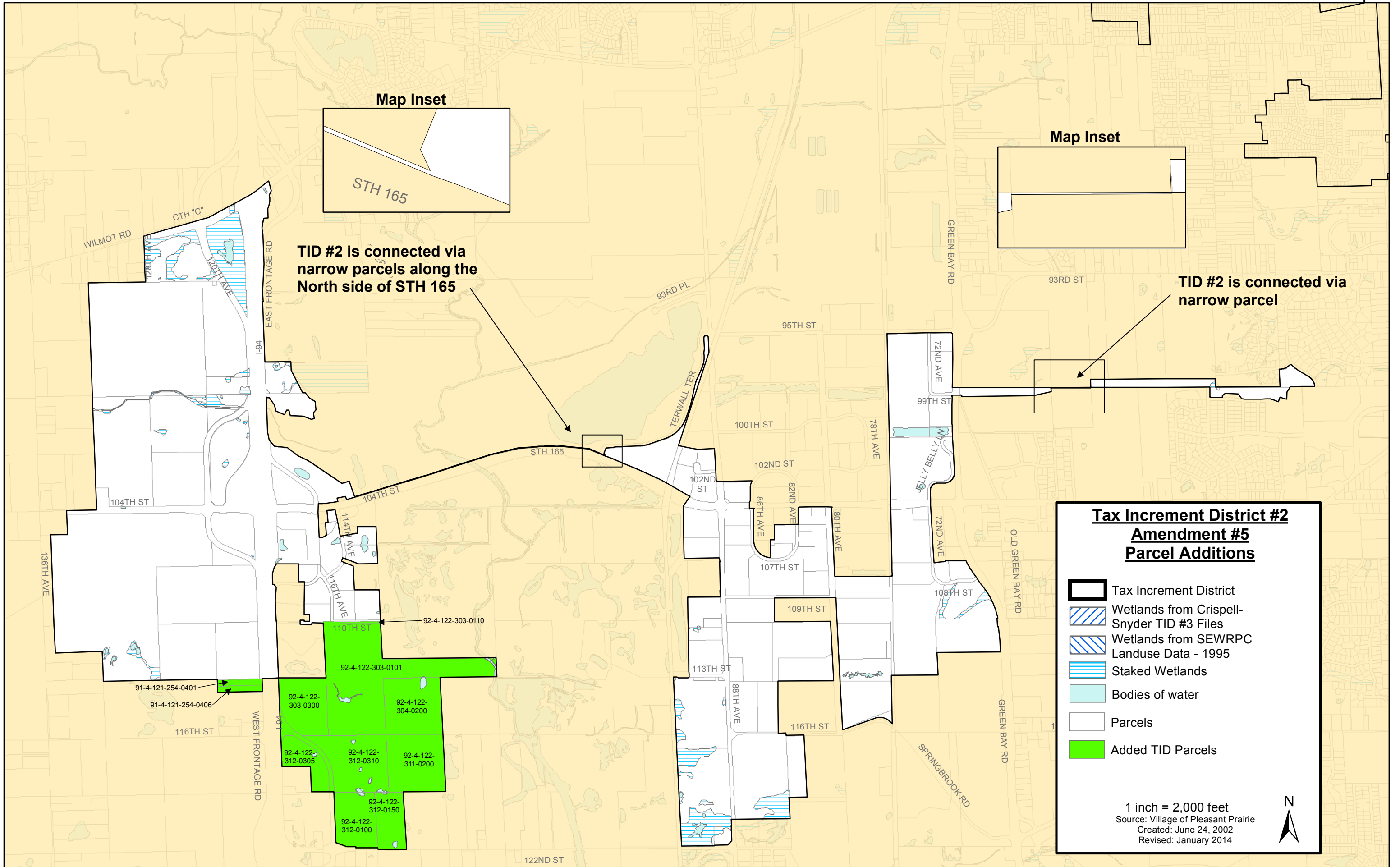
4 Certified Survey Map 1947; thence South along the east line of Parcel 4 Certified Survey Map 1947 to the north line of 108th St; thence East along the north line of 108th Street to the west line of Certified Survey Map 1819 extended North; thence South along the west line of Certified Survey Map 1819 extended North and the west line of Certified Survey Map 1819 to the SW corner of Certified Survey Map 1819; thence continue South along the west line of parcel 2 Certified Survey Map 1442 to the NW corner of parcel 1 Certified Survey Map 1442; thence East along the north line of parcel 1 Certified Survey Map 1442 to the NE corner of parcel 1 Certified Survey Map 1442; thence South along the east line of parcel 1 Certified Survey Map 1442 to the SE corner of Parcel 1 CSM 1442; thence west along the south line of Parcel 1 CSM 1442 to the SW corner of said parcel; thence north 24.75' along the west line of Parcel 1 CSM 1442; thence west 93.79' along the north line of vacated 110th Street; thence south 94.29' along the west line of vacated 110th Street; thence east 274.0' along the south line of vacated 110th Street; thence north 34.87'; thence east 267.76' along the south line of vacated 110th Street; thence South 1,275.26 feet along the western edge of Parcel 92-4-122-303-0101 to the north east corner of Parcel 92-4-122-303-0300; thence west along the northern line of Parcel 92-4-122-303-0300 to the north west corner of said parcel; thence South along the east right-of-way line of Interstate Highway 94 2,057.51 feet to the north west corner of Parcel 92-4-122-312-0250; thence east 660' along the northern edge of Parcel 92-4-122-312-0250 to the north east corner of said parcel; thence south 591' to the south east corner of Parcel 92-4-122-312-0250; thence east along the southern edge of Parcel 92-4-122-312-0305 to the western right-of-way line of 120th Avenue; thence easterly across 120th Avenue ROW intersecting the NW corner of Parcel 92-4-122-312-0100; thence south 1,181.34 feet along the western edge of Parcel 92-4-122-312-0100 to the SE corner of said parcel; thence southeast, east, south and east along the northern edge of CTH ML ROW to the south east corner of Parcel 92-4-122-312-0100; thence south along the western edge of Parcel 92-4-122-312-0150 33' to the south east corner of Parcel 92-4-122-312-0150; thence east along the southern edge of Parcel 92-4-122-312-0150 660.00' to the south east corner of Parcel 92-4-122-312-0150; thence north along the eastern edge of Parcel 92-4-122-312-0150 1,340' to the southern edge of Parcel 92-4-122-311-0200 also being the north east corner of parcel 92-4-122-312-0150; thence easterly along the southern edge of Parcel 92-4-122-311-0200 990' to the south east corner of said parcel; thence North along the eastern edge of Parcel 92-4-122-311-0200 and Parcel 92-4-122-304-0200 to the north west corner of Parcel 92-4-122-304-0100; thence east along the northern edge of Parcel 92-4-122-304-0100, to a point on the eastern edge of Section 30, T1N, R22E, approximately 1,319' north of the SE corner of Section 30, T1N, R22E; thence north 440' along the east edge of Section 30, T1N, R22E to the south east corner of Parcel 92-4-122-301-0200; thence west along the southern edge of parcel 92-4-122-301-0200 2,640 feet to the west line of the SE ¼ of Section 30, T1N, R22E; thence north along the west line of the SE ¼ of Section 30, T1N, R22E to the NW corner of the SE ¼ of Section 30, T1, R22E also being the SE corner of Parcel 92-4-122-301-0200; thence North along the west line of Parcel 92-4-122-301-0200 to the intersection with the SE corner of parcel 20 of Certified Survey Map 1699; thence North along the east line of parcel 20 of Certified Survey Map 1699 to the NE corner of parcel 20 Certified Survey Map 1699; thence West along the north line of parcel 20 Certified Survey Map 1699 to the SE corner of Parcel 18 of CSM 1699; thence North along the east line of parcel 18 Certified Survey Map 1699 to the NE

corner of parcel 18 Certified Survey Map 1699; thence Northwesterly along the north line of parcel 18 Certified Survey Map 1699 to the east line of Corporate Drive; thence continued northwesterly along the extended north line of Parcel 18 CSM 1699 to a point of intersection with the west right-of-way line of Corporate Drive ROW; thence northeasterly along the west line of Corporate Drive to a point intersecting the extension of the south line of Parcel 11 CSM 1700; thence southeast across the Corporate Drive ROW to the SW corner of Parcel 11 CSM 1700; Thence easterly along the south line of Parcel 11 CSM 1700 to the SE corner of Lot 11 CSM 1700; thence northerly along the east line of said parcel and continue northerly along the east line of Parcel 23 CSM 1817 to the NE corner of said parcel; thence east 427.50' to the NE corner of Parcel 24 CSM 1817; thence south 161.92' along the east line of said parcel to the SE corner of said parcel; thence southwest along the southern edge of Parcel 24 CSM 1817 to the SW corner of Parcel 24 CSM 1817 and intersection with the east line of Corporate Drive; thence westerly on the south line of Parcel 24 CSM 1817 extended to the west line of Corporate Drive; thence Northerly along the west line of Corporate Drive to the NE corner of parcel 15 Certified Survey Map 1489; thence West along the north line of parcel 15 Certified Survey Map 1489 to the NW corner of said parcel; thence south along the west line of parcel 15 Certified Survey Map 1489 to the north line of parcel 16 Certified Survey Map 1701; thence west along the north line of parcel 16 CSM 1701 to the northwest corner of said parcel; thence south along the west line of parcel 16 of CSM 1701 to the southwest corner of said parcel; thence southwest along the north line of outlot 1 CSM 1362 to a point being on the east line of parcel 92-4-122-302-0150 and being 185' north of the southeast corner of outlot 1 CSM 1362; thence North along the west line of parcel 17 Certified Survey Map 1701, and parcel 14 Certified Survey Map 1489 to the south line of State Trunk Highway 165; thence north along the extended west line of parcel 14 CSM 1489 to the north line of State Trunk Highway 165 and the SE corner of Parcel 13 of CSM 1628; thence east along the south line of parcel 13 Certified Survey Map 1628 to the southwest corner of outlot 4 CSM 1628; thence north 80' along the west line of outlot 4 CSM 1628 to the northwest corner of said outlot; thence northeasterly 200' along the north lines of outlot 1 CSM 1628 and parcel 1 CSM 1332 to the northeast corner of parcel 1 CSM 1332; thence southerly 80' along the east line of said parcel to the north line of State Trunk Highway 165, said point also known as the southeast corner of parcel 1 CSM 1332; thence easterly along the north line of STH 165 to a point of intersection with the west line of Terwall Terrace; continue easterly across Terwall Terrace and along the north line of STH 165 to the SE corner of Outlot 1 CSM 2681; thence continue easterly along the north line of STH 165 to the SE corner of parcel 7 of CSM 1328 located in the SE ¼ of the SE ¼ of Section 20, T1N, R22E; thence southwest to a point of intersection with the south right-of-way line of State Trunk Highway 165 and the NW corner of Parcel 99 of Certified Survey Map 2339; thence southerly along the west lines of Parcel 99 and Parcel 98 of CSM 2339; thence easterly along the south line of Parcel 98 of CSM 2339 to the west line of 88th Avenue ROW; thence southerly along the west line of 88th Avenue ROW to the NE corner of Parcel 70 CSM 1988; thence westerly along the north line of Parcel 70 of CSM 1988; thence southerly along the west line of Parcel 70 of CSM 1988, Parcel 71 of CSM 1989, and Parcel 72 of CSM 1989 to a point of intersection with the north line of 113th Street also being the SW corner of Parcel 72 CSM 1989; Continue south 70.0' to the SW corner of the 113th Street ROW said point being 100.61' west of the NW corner of Outlot 29

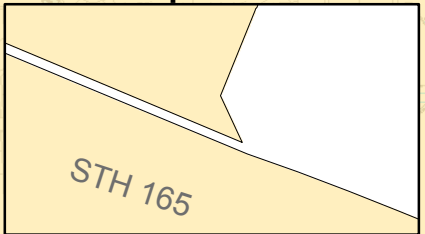
CSM 2470; thence westerly along the north line of Lot 103 of CSM 2532 to a point of intersection with the east line of the Canadian Pacific Rail System ROW; thence southerly along the East line of the Canadian Pacific Rail to the north line of 122nd Street; thence easterly along the north line of 122nd Street to the west line of 88th Avenue; thence northerly along the west line of 88th Avenue to a point west of the south line of parcel 92-4-122-332-0251 extended; thence east across 88th Avenue and along the south line of 92-4-122-332-0251 to the SE corner of said parcel; thence north along the east line of 92-4-122-332-0251 to the SW corner of Lot 3 CSM 2622; thence east 418.63' to the SE corner of said lot; thence north along the east line of Lot 3 CSM 2622 to a point of intersection with the south line of 116th Street ROW; thence west to the east line of 92-4-122-332-0251; thence north along the extended east line of 92-4-122-332-0251 to the centerline of the 116th Street ROW; thence west along the 116th Street centerline to a point of intersection with the west line of Parcel 65 CSM 1937 extended; thence northerly along the west line of Parcel 65 of CSM 1937; thence easterly along the north line of Parcel 65 of CSM 1937 to the west line of the 80th Avenue ROW; thence northerly along the west line of 80th Avenue to the SE corner of Lot 78 CSM 2048; thence westerly along the south line of Parcel 78 of CSM 2048; thence northerly along the west line of Parcel 78 of CSM 2048; thence easterly along the north line of Parcel 78 of CSM 2048, across the 80th Street ROW to a point of intersection with the NW corner of Lot 83 CSM 2008; thence southerly along the west lines of Lot 83 of CSM 2008, Parcel 64 CSM 1926, Outlot 15 CSM 2130, and Parcel 77 CSM 2130 to a point of intersection with the north line of CTH ML; thence northeasterly and then southeasterly along the north line CTH ML to the SE corner of Outlot 20 CSM 2130 also being a point of intersection with the west line of the Union Pacific Railroad; thence north along the west line of the Union Pacific Railroad to a point of intersection of the south line of Parcel 10 CSM 2286 extended west; thence east along the south line of Parcel 10 CSM 2286 to the SE corner of said parcel; thence northerly 528 feet to the SW corner of Parcel 2 of CSM 1971; thence easterly along the south line of Parcel 2 of CSM 1971 to the west line of State Trunk Highway 31 "relocated"; thence northerly along the west line of State Trunk Highway 31 "relocated" to the south line of 92-4-122-272-0401; thence west along the south line of 92-4-122-272-0401 to the SW corner of said parcel; thence south 17.16' to the SE corner of Outlot 32 of CSM 2560; thence westerly along the south line of said outlot to the NW corner of Lot 1 CSM 2636 also being a point of intersection with the east line of the 72nd Avenue ROW; thence north along the east line of 72nd Avenue to a point on intersection with the south line of STH 165; thence north across STH 165 to the SW corner of Lot 12 CSM 2343; thence along the east and then south and then the east line of Jelly Belly Lane to a point of intersection with the west line of STH 31 "relocated"; thence north along the west line of STH 31 "relocated" to the south line of 99th Street; thence east along the extended south line of 99th Street to a point on the east line of Old Green Bay Road; thence southerly along the east line of Old Green Bay Road to a point on the southern edge of Parcel 92-4-122-223-0002, said point being 33' east of the south west corner of said parcel; thence easterly along the south line of 92-4-122-223-0002 to a point of intersection with the east line of the SW ¼ of Section 22 T1N R22E; thence north along said ¼ section line to the SW corner of Outlot 1 CSM 2683 said point being 10.01 feet south of the center of Section 22 T1N R22E; thence east 925.84' along the south line of Outlot 1 CSM 2683 to the SE corner of said outlot also being a point of intersection with the west line of SE ¼ of Section 22 T1N R22E; thence

north along the eastern edge of Outlot 1 CSM 2683 for 10' to the SW corner of parcel 92-4-122-221-0010; thence east 2,742.98 along the south line of parcel 92-4-122-221-0010 to the NW corner of parcel 92-4-122-233-0027; thence south along the west line of parcel 92-4-122-233-0027 to the SW corner of said parcel; thence easterly along the south line of 92-4-122-233-0027 to the SE corner of said parcel; thence northerly along the east line of 92-4-122-233-0027 to the NE corner and a point of intersection with the south line of the NE ¼ of Section 23 T1N R22E said point being 236.57' east of the center of said Section 23; thence east along the south line of the NE ¼ of Section 23 T1N R22E to the SE corner of parcel 92-4-122-231-0476; thence northwesterly along the west line of 43rd Avenue to the northernmost point of 92-4-122-231-0476; thence southwesterly to the NW corner of 92-4-122-231-0476; thence south 411.63' along the west side of 92-4-122-231-0476 to the center of Section 23 T1N R22E; thence west along the south line of the NW1/4 of Section 23, T1, R22 to the SE corner of parcel 92-4-122-221-0010; thence north 190.17 along the east line of 92-4-122-221-0010 to the NE corner of said parcel; thence west 2,885.6 along the north line of 92-4-122-221-0010 to the NW corner of said parcel; thence south along the west line of 92-4-122-221-0010 to the NE corner of Outlot 1 CSM 2683; thence easterly 925.96' to the center of Section 22 T1N R22E also being the NE corner of 92-4-122-223-0002; thence west along the south line of the NW ¼ of Section 22 T1N R22E to a point of intersection with the west line of STH 31 "relocated"; thence north along the west line of STH 31 "relocated" to the NE corner of Lot 1 Certified Survey Map 2686 and point of beginning.

All areas within the described District boundaries which are identified as wetlands on a map under Section 23.32, Wisconsin Statutes, are excluded from the District in accordance with Section 66.1105(2)(k), Wisconsin Statutes. Those wetland areas are identified on the District boundary map included in the Project Plan, subject to final field mapping.

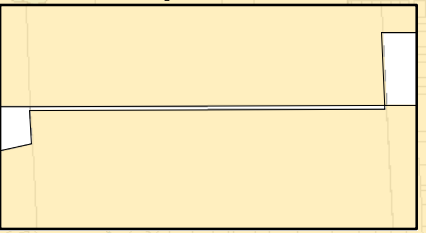


Map Inset



STH 165








Map Inset



TID #2 is connected via narrow parcels along the North side of STH 165

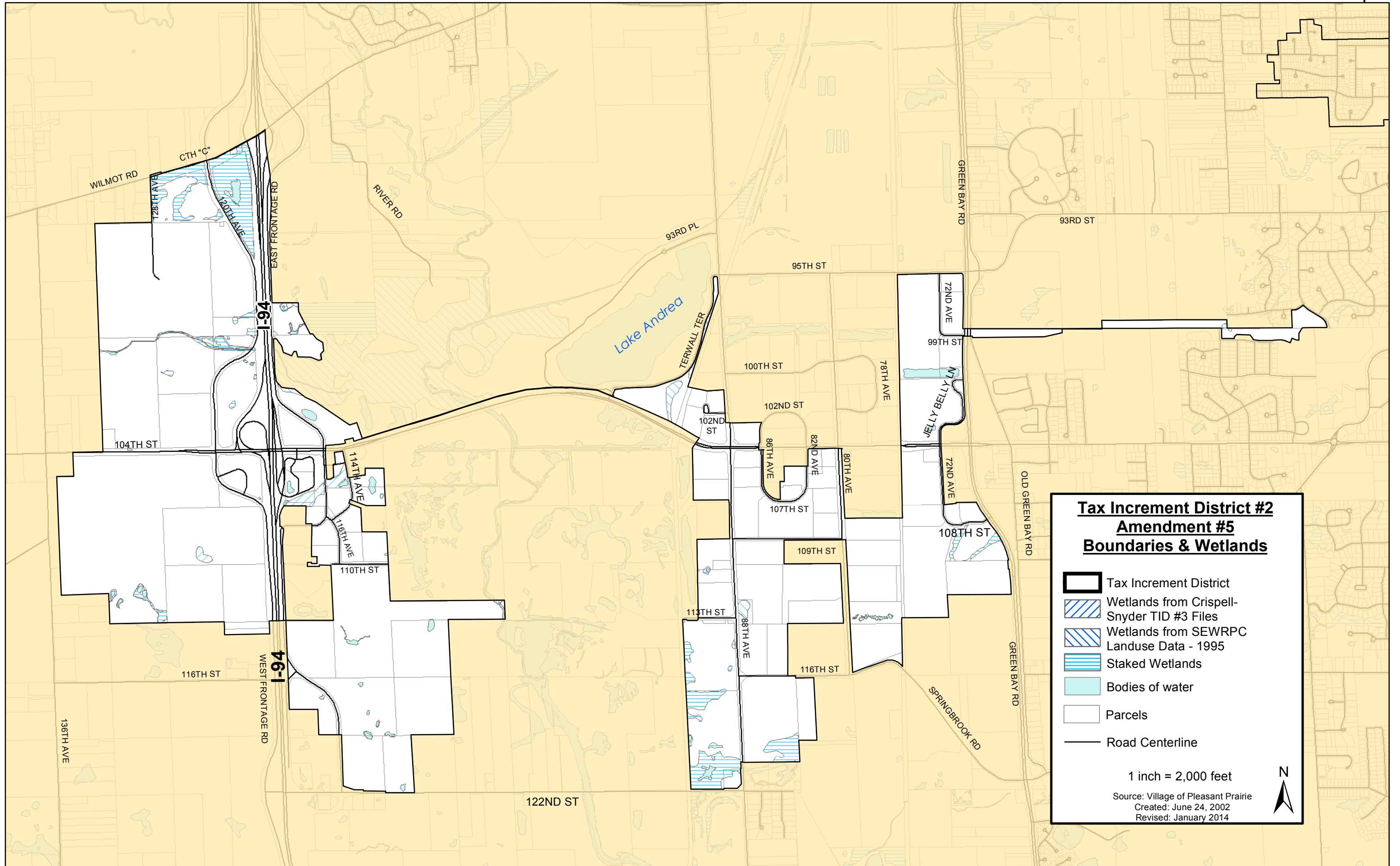
TID #2 is connected via narrow parcel

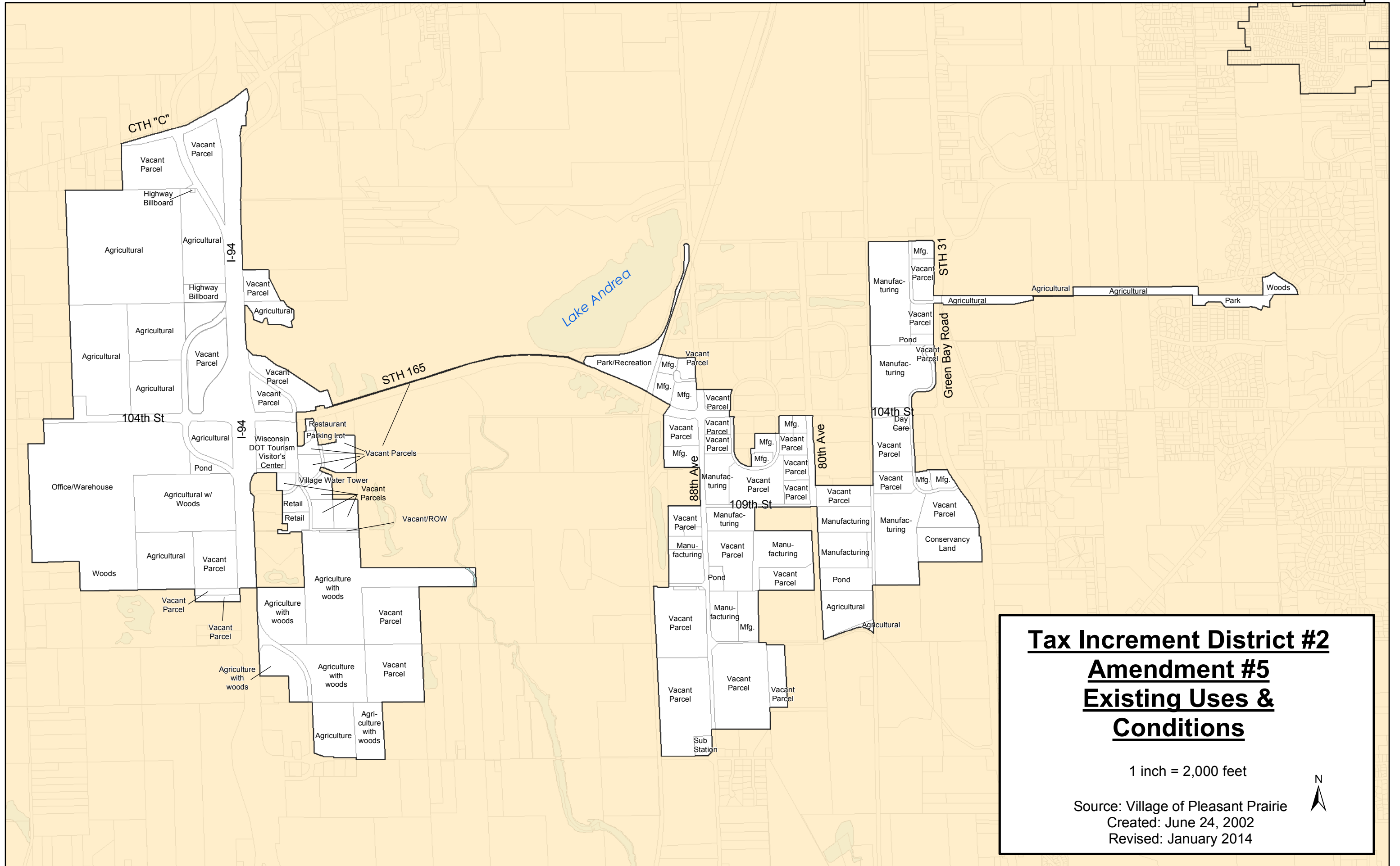
**Tax Incremental District #2
Amendment #5
Parcel Additions**

-  Tax Incremental District
-  Wetlands from Crispell-Snyder TID #3 Files
-  Wetlands from SEWRPC Landuse Data - 1995
-  Staked Wetlands
-  Bodies of water
-  Parcels
-  Added TID Parcels

1 inch = 2,000 feet
Source: Village of Pleasant Prairie
Created: June 24, 2002
Revised: January 2014





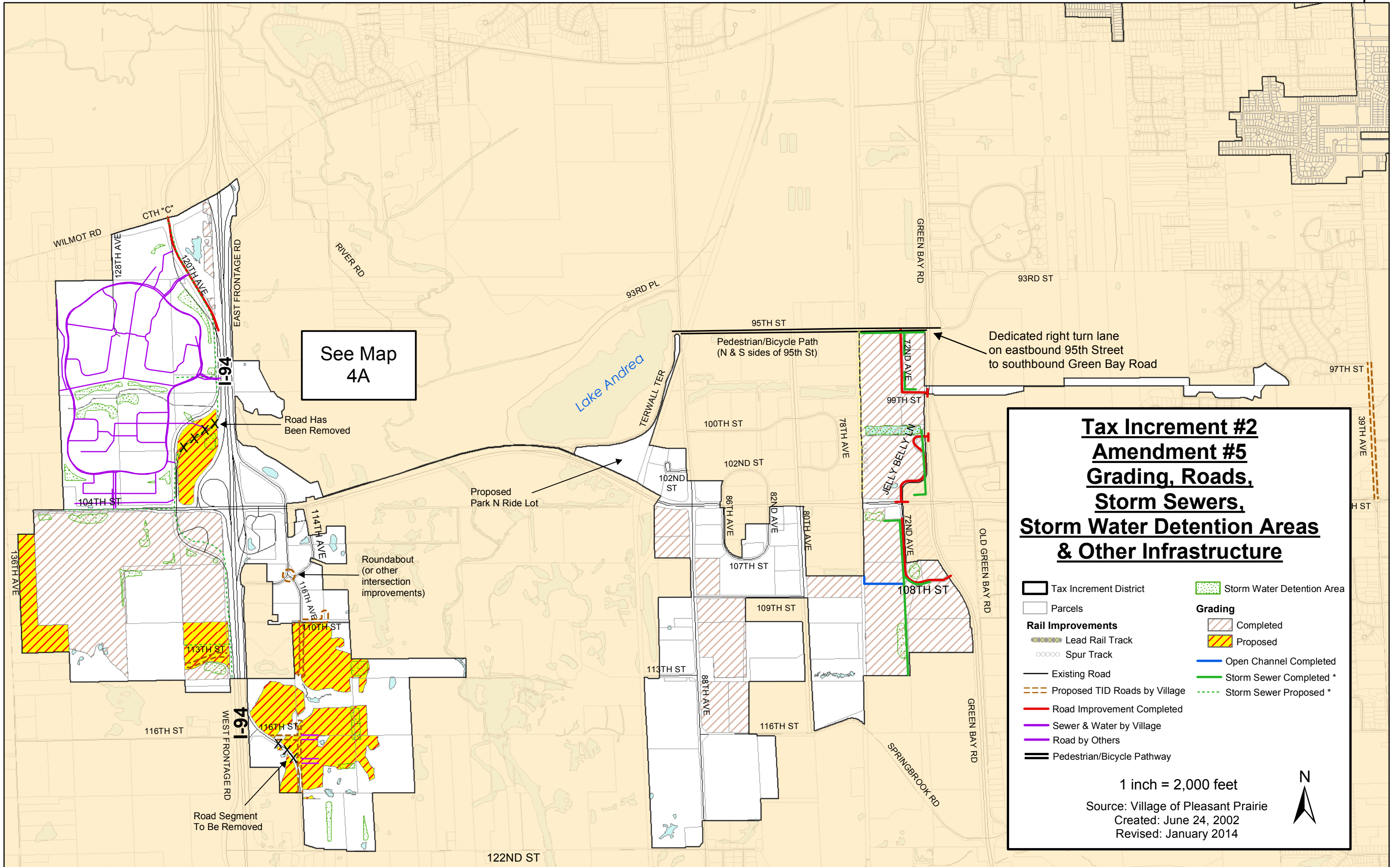


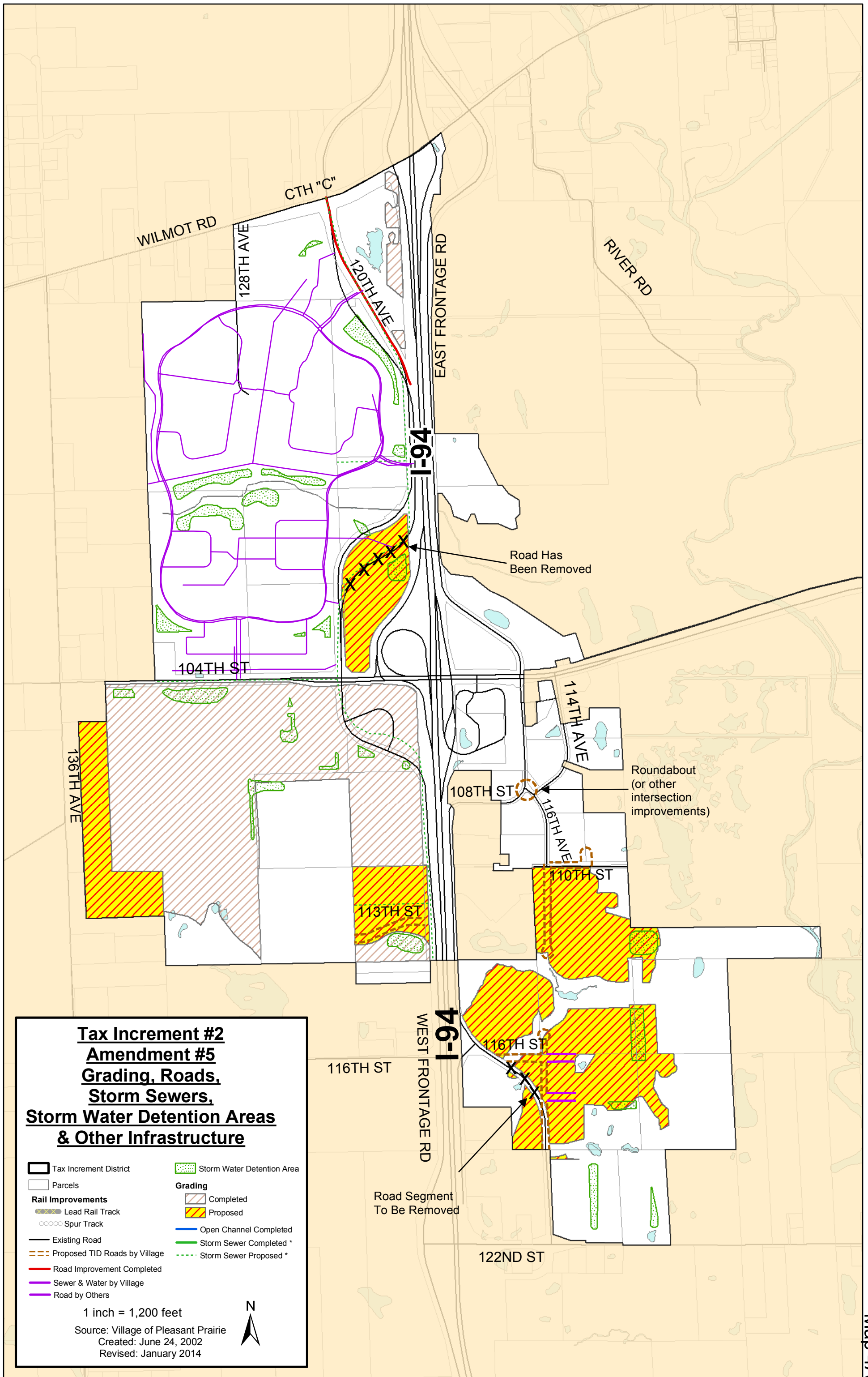
Tax Increment District #2
Amendment #5
Existing Uses & Conditions

1 inch = 2,000 feet

Source: Village of Pleasant Prairie
 Created: June 24, 2002
 Revised: January 2014



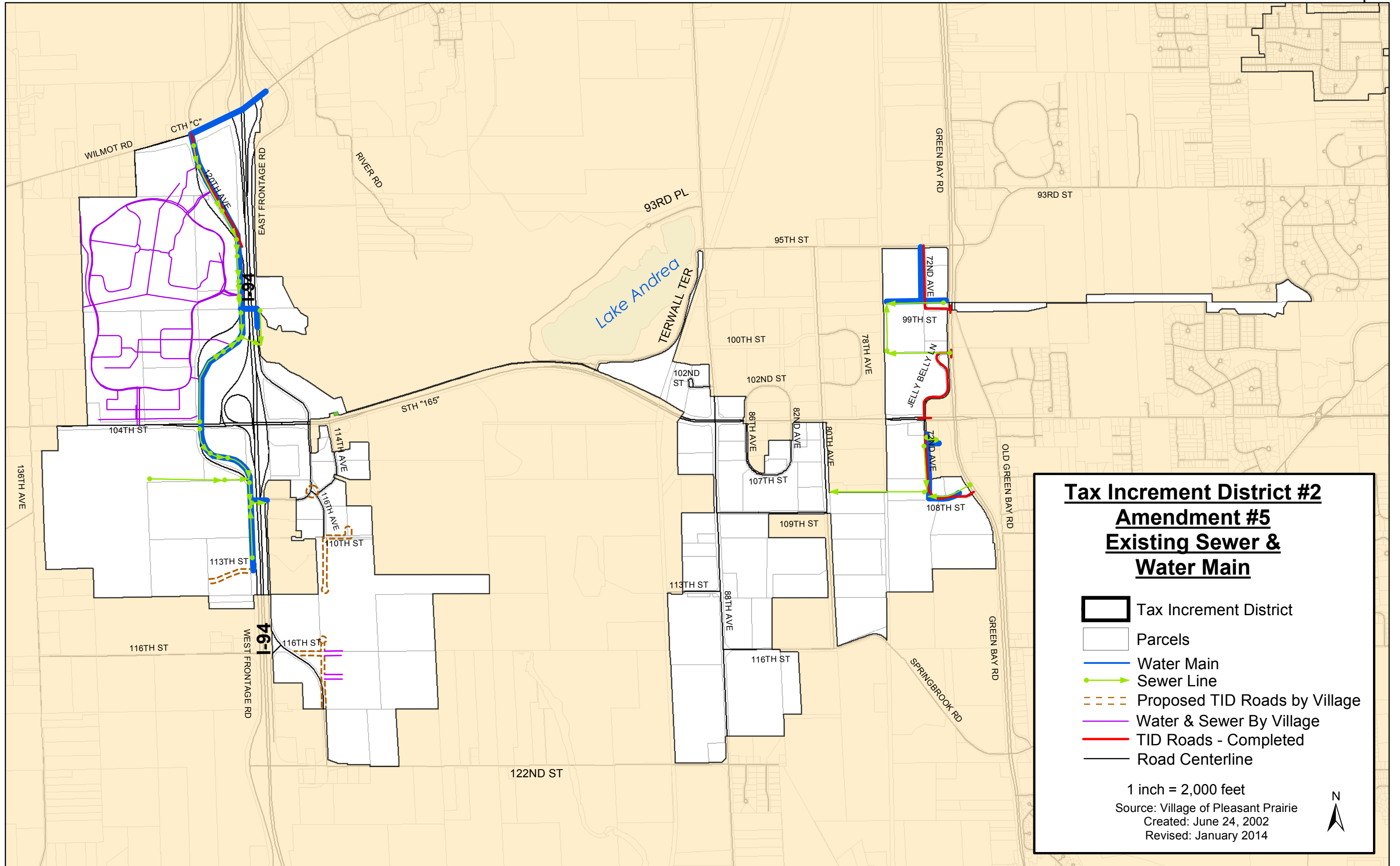


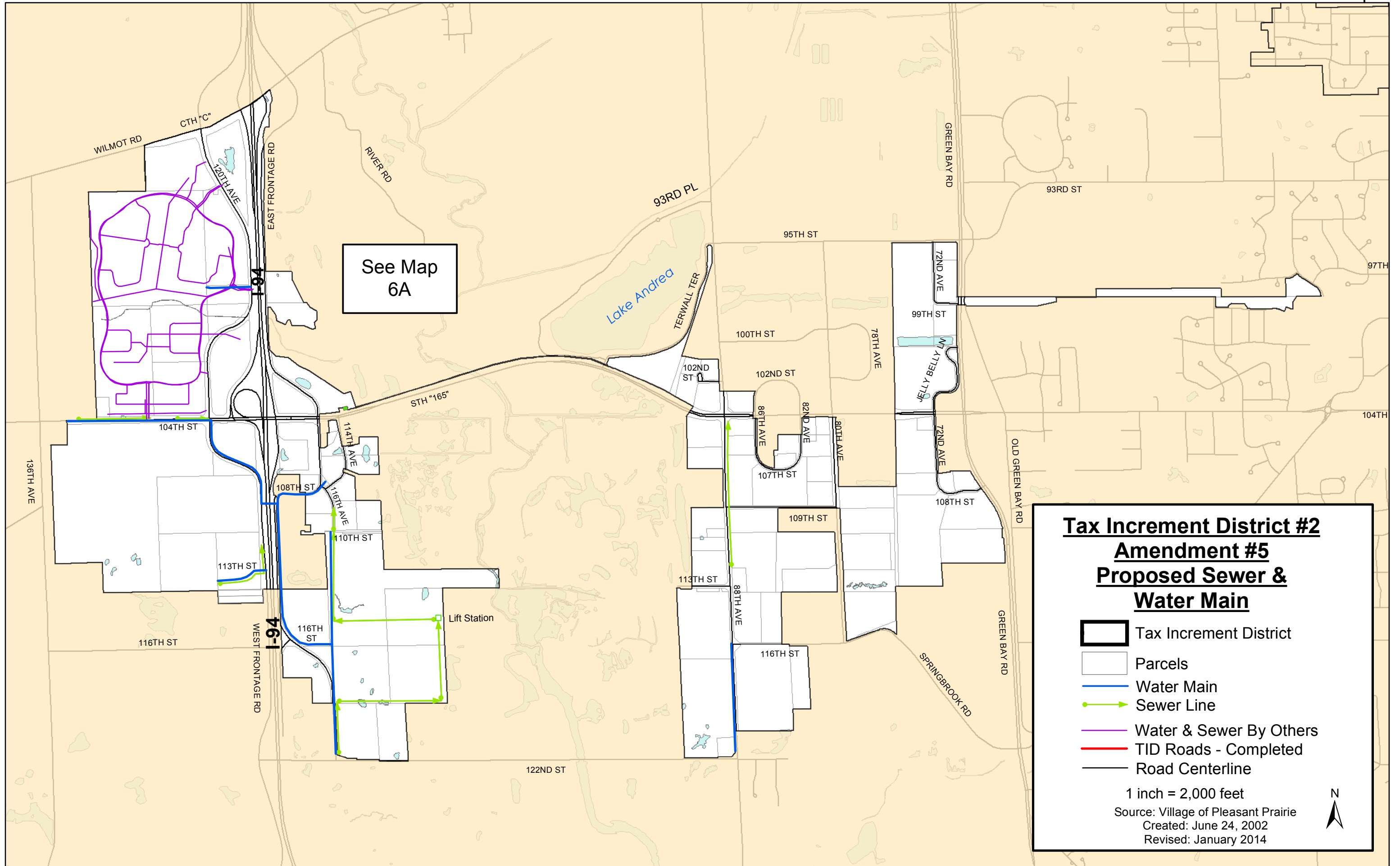


**Tax Increment #2
Amendment #5
Grading, Roads,
Storm Sewers,
Storm Water Detention Areas
& Other Infrastructure**








Tax Increment District	Storm Water Detention Area
Parcels	Grading
Rail Improvements	Completed
Lead Rail Track	Proposed
Spur Track	Open Channel Completed
Existing Road	Storm Sewer Completed *
Proposed TID Roads by Village	Storm Sewer Proposed *
Road Improvement Completed	
Sewer & Water by Village	
Road by Others	

1 inch = 1,200 feet
 Source: Village of Pleasant Prairie
 Created: June 24, 2002
 Revised: January 2014





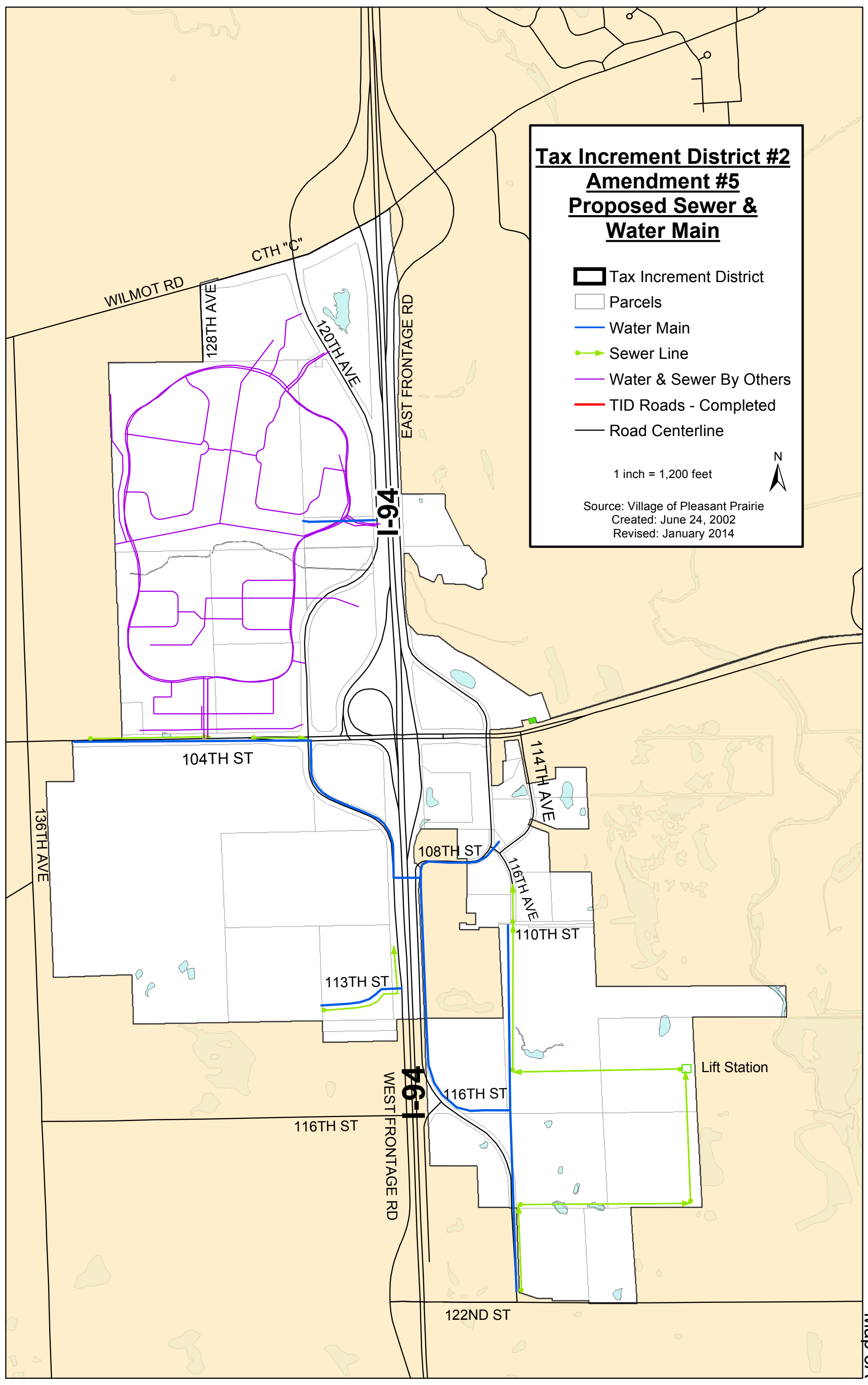
**Tax Increment District #2
Amendment #5
Proposed Sewer &
Water Main**

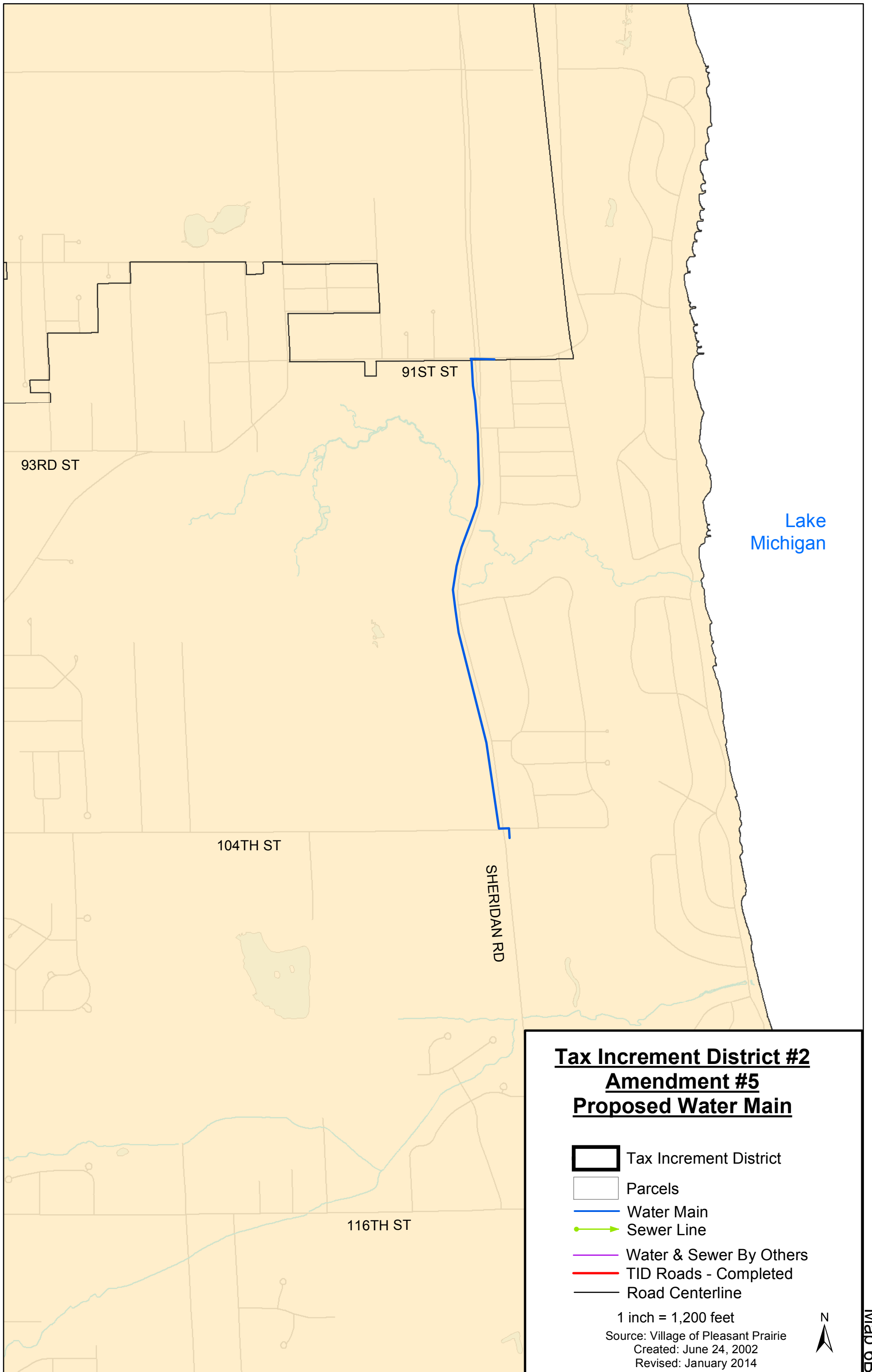
-  Tax Increment District
-  Parcels
-  Water Main
-  Sewer Line
-  Water & Sewer By Others
-  TID Roads - Completed
-  Road Centerline

1 inch = 1,200 feet










Source: Village of Pleasant Prairie
Created: June 24, 2002
Revised: January 2014





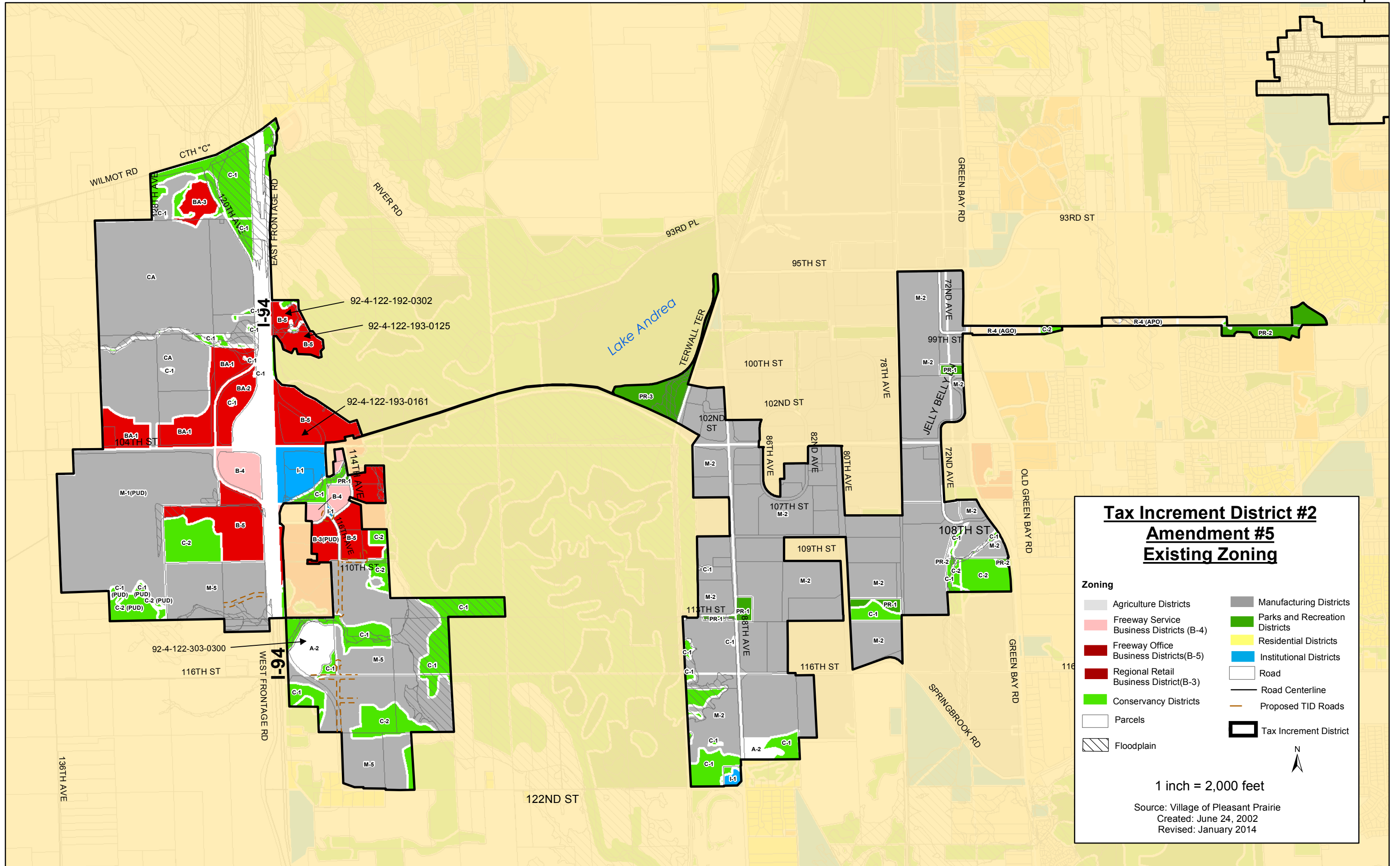
Lake Michigan

Tax Increment District #2
Amendment #5
Proposed Water Main

-  Tax Increment District
-  Parcels
-  Water Main
-  Sewer Line
-  Water & Sewer By Others
-  TID Roads - Completed
-  Road Centerline

1 inch = 1,200 feet
 Source: Village of Pleasant Prairie
 Created: June 24, 2002
 Revised: January 2014



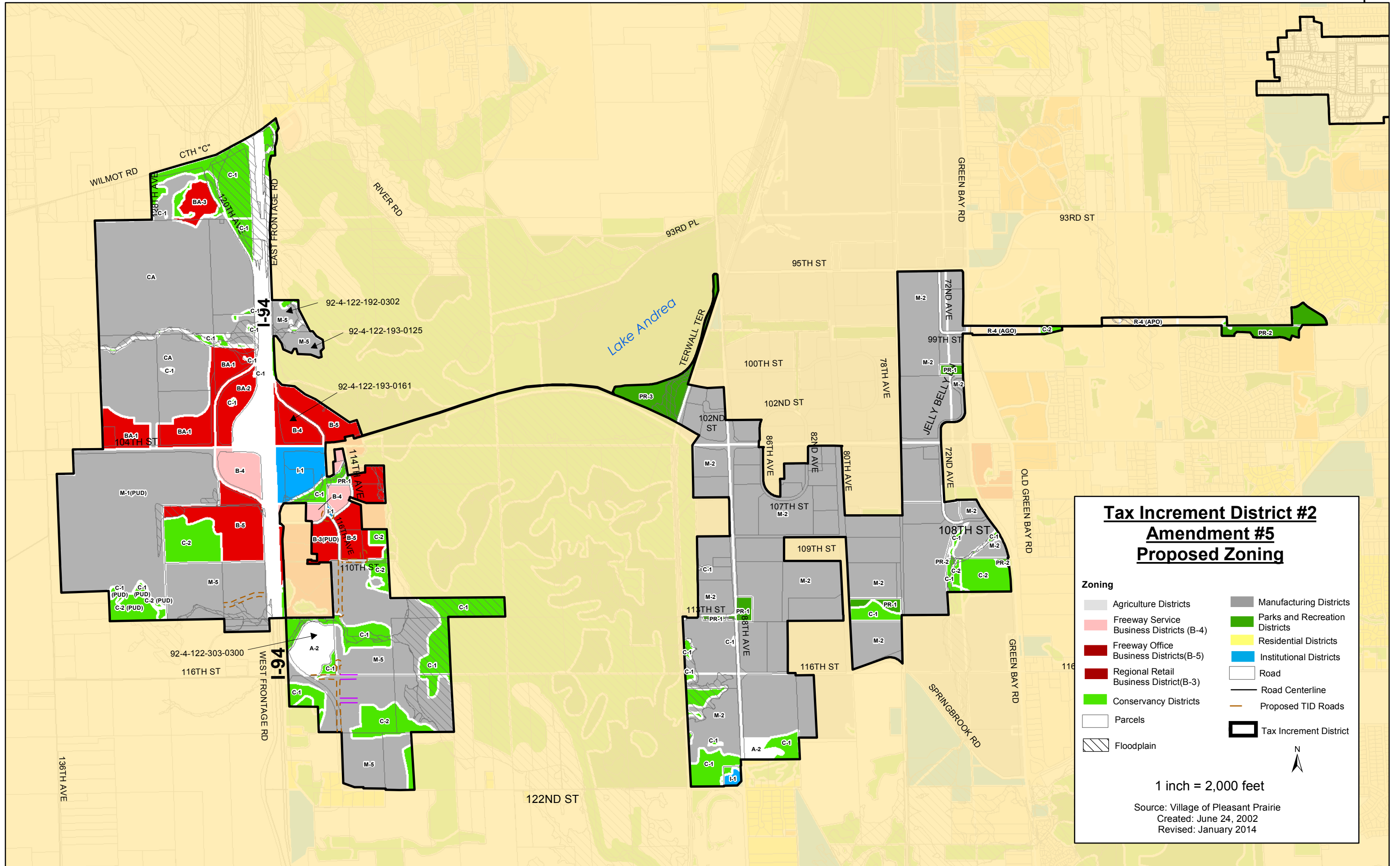


Tax Increment District #2 Amendment #5 Existing Zoning

Agriculture Districts	Manufacturing Districts
Freeway Service Business Districts (B-4)	Parks and Recreation Districts
Freeway Office Business Districts (B-5)	Residential Districts
Regional Retail Business District (B-3)	Institutional Districts
Conservancy Districts	Road
Parcels	Road Centerline
Floodplain	Proposed TID Roads
	Tax Increment District

1 inch = 2,000 feet

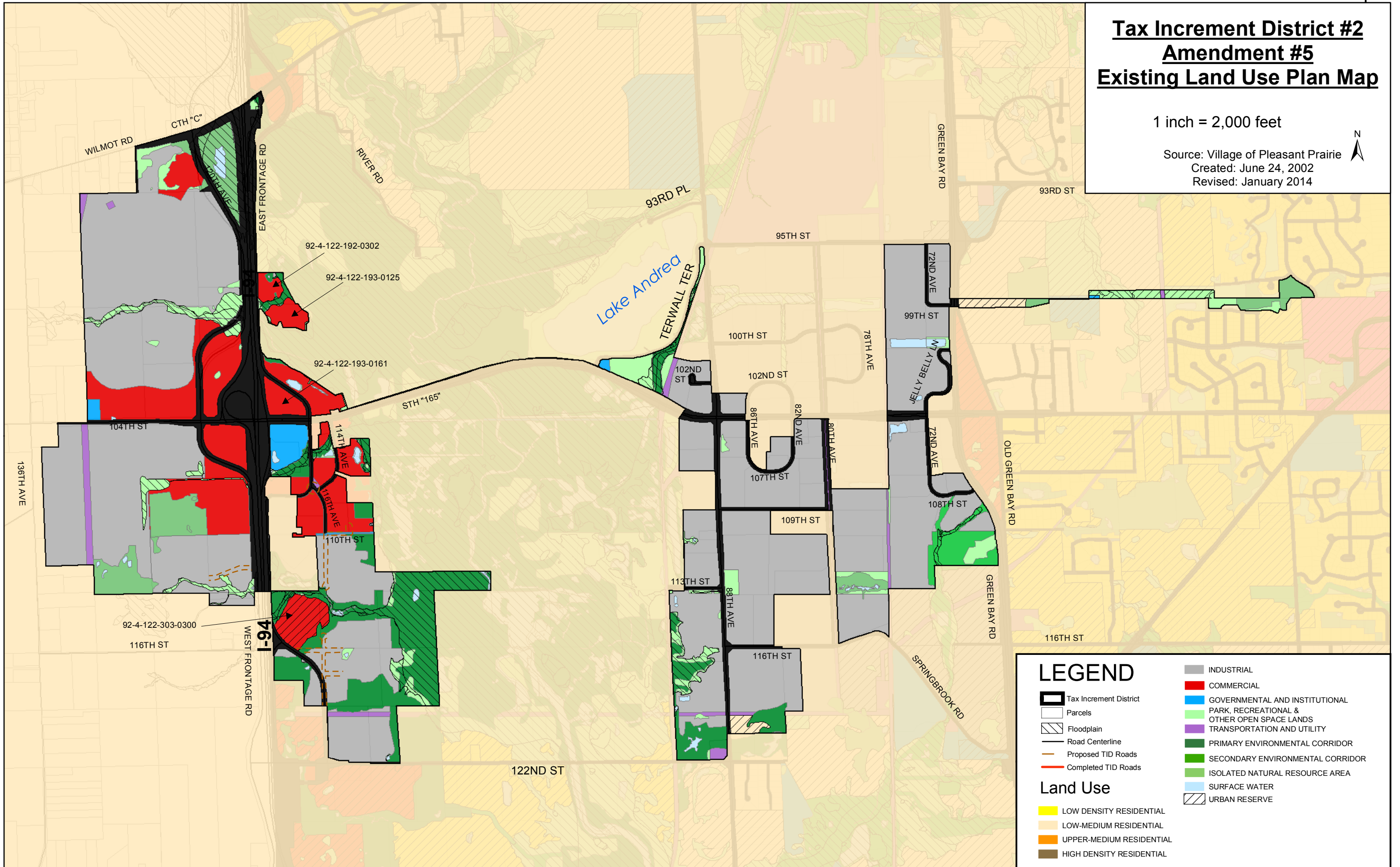
Source: Village of Pleasant Prairie
Created: June 24, 2002
Revised: January 2014



Tax Increment District #2 Amendment #5 Existing Land Use Plan Map

1 inch = 2,000 feet

Source: Village of Pleasant Prairie
Created: June 24, 2002
Revised: January 2014



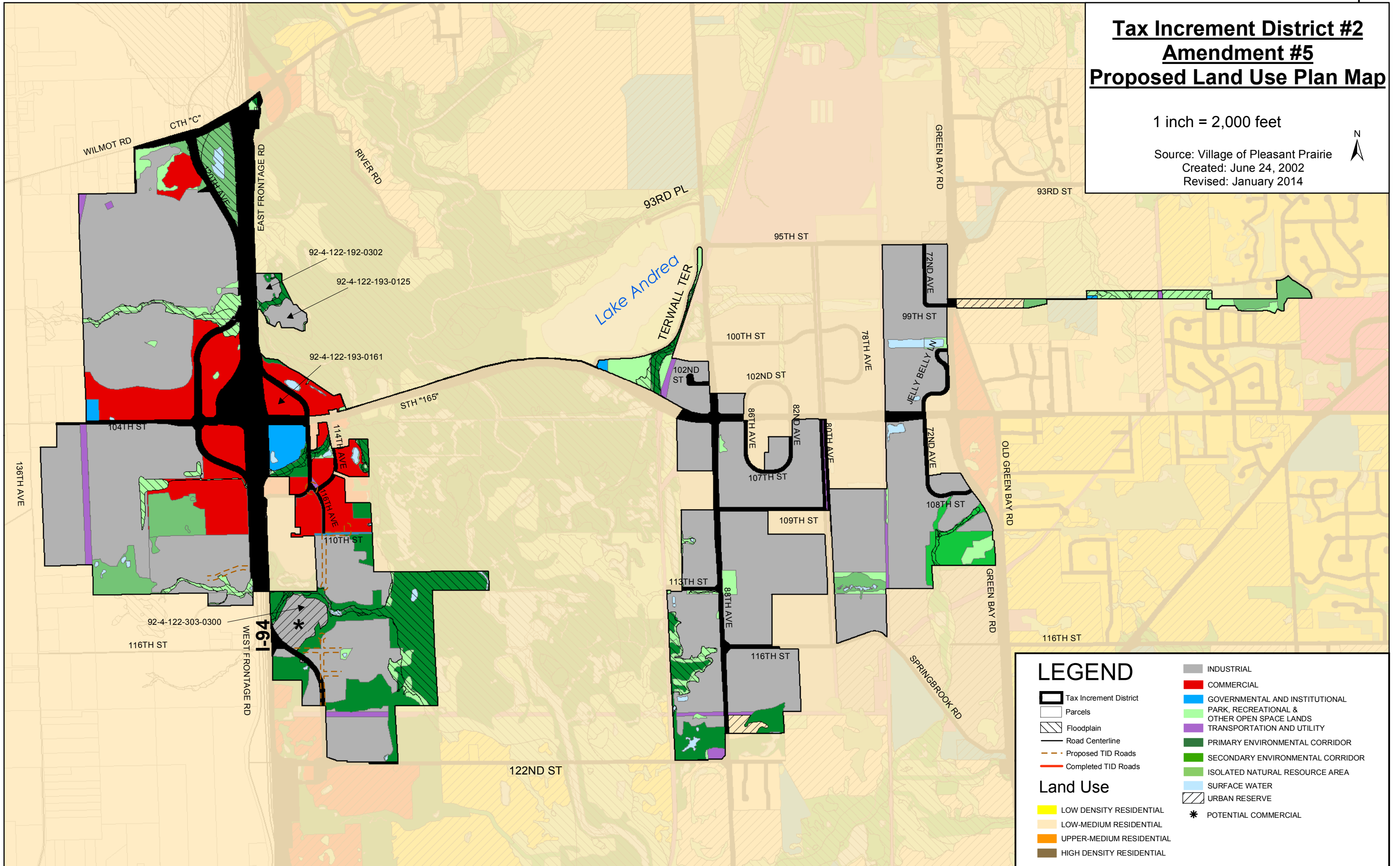
LEGEND

Tax Increment District	INDUSTRIAL
Parcels	COMMERCIAL
Floodplain	GOVERNMENTAL AND INSTITUTIONAL
Road Centerline	PARK, RECREATIONAL & OTHER OPEN SPACE LANDS
Proposed TID Roads	TRANSPORTATION AND UTILITY
Completed TID Roads	PRIMARY ENVIRONMENTAL CORRIDOR
	SECONDARY ENVIRONMENTAL CORRIDOR
	ISOLATED NATURAL RESOURCE AREA
	SURFACE WATER
	URBAN RESERVE
Land Use	
LOW DENSITY RESIDENTIAL	
LOW-MEDIUM RESIDENTIAL	
UPPER-MEDIUM RESIDENTIAL	
HIGH DENSITY RESIDENTIAL	

**Tax Increment District #2
Amendment #5
Proposed Land Use Plan Map**

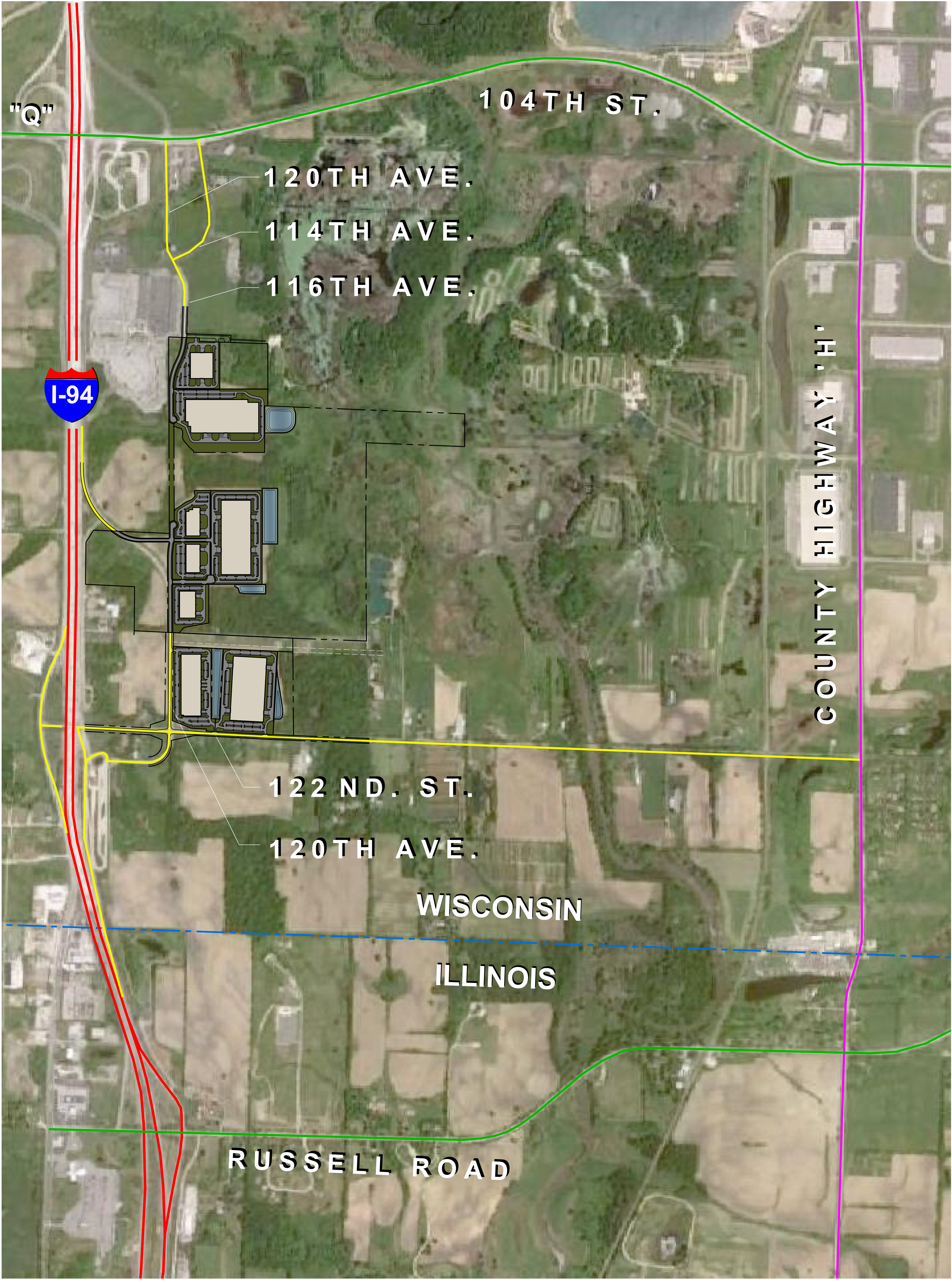
1 inch = 2,000 feet

Source: Village of Pleasant Prairie
Created: June 24, 2002
Revised: January 2014



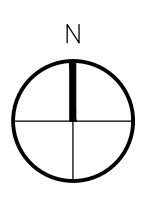
LEGEND

Tax Increment District	INDUSTRIAL
Parcels	COMMERCIAL
Floodplain	GOVERNMENTAL AND INSTITUTIONAL
Road Centerline	PARK, RECREATIONAL & OTHER OPEN SPACE LANDS
Proposed TID Roads	TRANSPORTATION AND UTILITY
Completed TID Roads	PRIMARY ENVIRONMENTAL CORRIDOR
	SECONDARY ENVIRONMENTAL CORRIDOR
	ISOLATED NATURAL RESOURCE AREA
	SURFACE WATER
	URBAN RESERVE
LOW DENSITY RESIDENTIAL	* POTENTIAL COMMERCIAL
LOW-MEDIUM RESIDENTIAL	
UPPER-MEDIUM RESIDENTIAL	
HIGH DENSITY RESIDENTIAL	



PRELIMINARY

SITE PLAN
1" = 600'-0"



Drawing Title HIGH AERIAL Drawing No. SK-9a	Developer CLAYCO - VENTURE ONE DEVELOPMENT SERVICES, LLC.	PROJECT: MASTER PLAN RIVERVIEW CORPORATE PARK PLEASANT PRAIRIE, WISCONSIN	Architect FORUM 35 E. WACKER DRIVE CHICAGO, ILLINOIS 60601 Ph 312.658.0747 Fx 314.429.1890	Civil Engineer CONSULTANT NAME	Structural Engineer CONSULTANT NAME	Landscape Architect CONSULTANT NAME	Interior Architect CONSULTANT NAME	MEP Engineer CONSULTANT NAME	Real Estate VENTURE ONE REAL ESTATE, LLC
		DRAWING ISSUE Description Date 11/08/13		CONSULTANT NAME CONSULTANT NAME CONSULTANT NAME CONSULTANT NAME CONSULTANT NAME	CONSULTANT NAME CONSULTANT NAME CONSULTANT NAME CONSULTANT NAME CONSULTANT NAME				

TABULATIONS:

SITE AREA:

BUILDING SITE AREA	101.42 ACRES
ROADWAY R.O.W.	8.13 ACRES
DETENTION	11.80 ACRES
WETLAND / UNBUILDABLE*	178.59 ACRES
TOTAL	299.94 ACRES

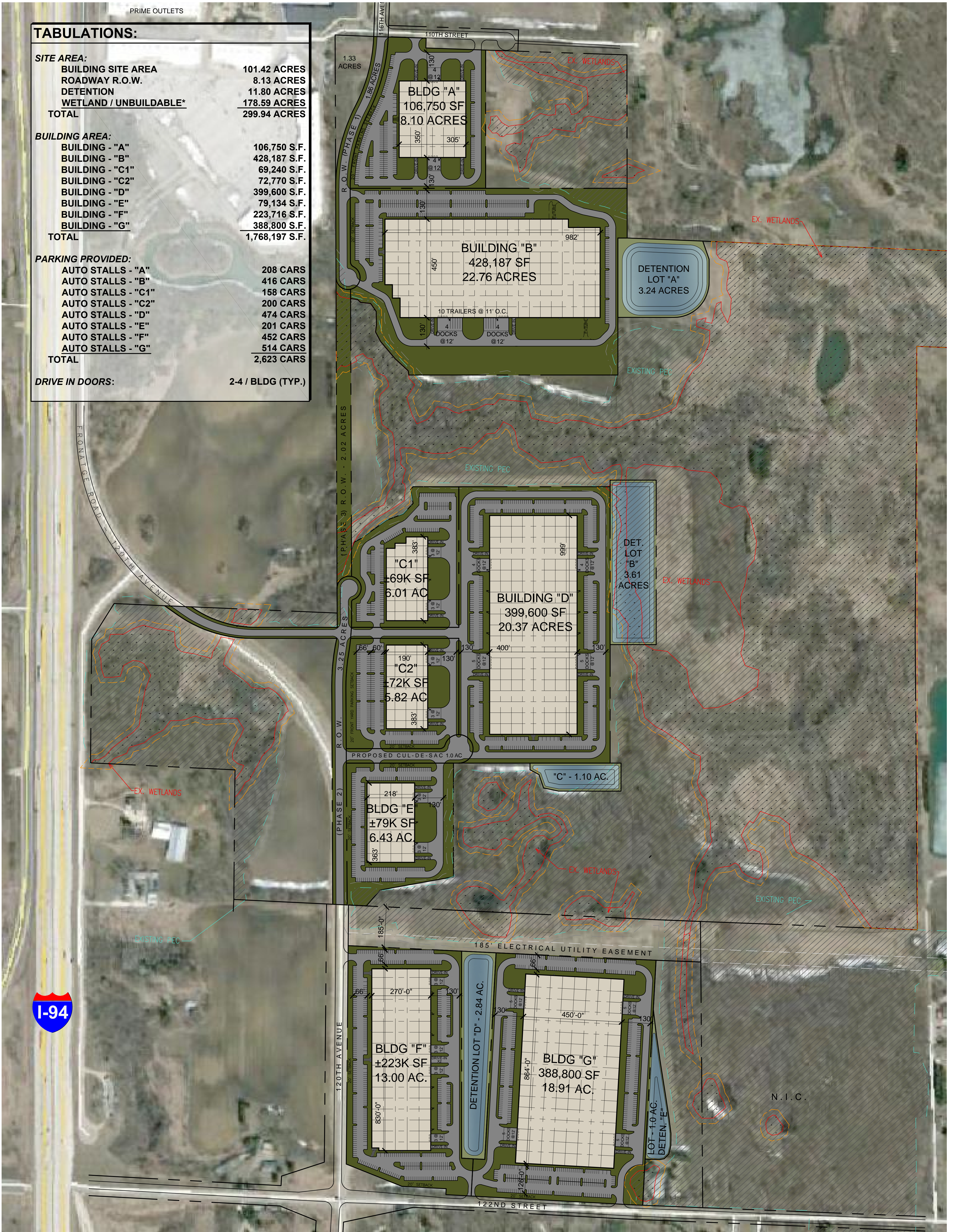
BUILDING AREA:

BUILDING - "A"	106,750 S.F.
BUILDING - "B"	428,187 S.F.
BUILDING - "C1"	69,240 S.F.
BUILDING - "C2"	72,770 S.F.
BUILDING - "D"	399,600 S.F.
BUILDING - "E"	79,134 S.F.
BUILDING - "F"	223,716 S.F.
BUILDING - "G"	388,800 S.F.
TOTAL	1,768,197 S.F.

PARKING PROVIDED:

AUTO STALLS - "A"	208 CARS
AUTO STALLS - "B"	416 CARS
AUTO STALLS - "C1"	158 CARS
AUTO STALLS - "C2"	200 CARS
AUTO STALLS - "D"	474 CARS
AUTO STALLS - "E"	201 CARS
AUTO STALLS - "F"	452 CARS
AUTO STALLS - "G"	514 CARS
TOTAL	2,623 CARS

DRIVE IN DOORS: 2-4 / BLDG (TYP.)



1" = 200'-0"
SITE PLAN

PRELIMINARY

Drawing No. SK-9a Drawing Title PARK PLAN	Drawing Issue 11/08/13	PROJECT: MASTER PLAN RIVERVIEW CORPORATE PARK PLEASANT PRAIRIE, WISCONSIN	Developer CLAYCO - VENTURE ONE DEVELOPMENT SERVICES, LLC.	Structural Engineer FORUM CONSULTANT NAME	Architect CLAYCO THE ART & SCIENCE OF BUILDING
	Drawing No. 10101300 Control ###-### Date 11/08/13	Developer CLAYCO - VENTURE ONE DEVELOPMENT SERVICES, LLC.	Structural Engineer FORUM CONSULTANT NAME	Architect CLAYCO THE ART & SCIENCE OF BUILDING	35 E. WACKER DRIVE CHICAGO, ILLINOIS 60601 Ph 312.658.0747 Fx 314.429.1890

- D. Consider **Plan Commission Resolution #14-04** to initiate zoning text amendments related to Commercial Communication Structures.

Recommendation:

Village staff recommends that the Plan Commission approve **Plan Commission Resolution #14-04** as presented at the February 10, 2014 meeting.

**VILLAGE OF PLEASANT PRAIRIE
PLAN COMMISSION
RESOLUTION #14-04
TO INITIATE ZONING TEXT AMENDMENTS**

WHEREAS, the Plan Commission may initiate a petition for amendments of the Zoning Ordinance, which may include rezoning of property, change in Zoning District boundaries, or changes in the text of said Ordinance.

WHEREAS, the Village staff is proposing to re-evaluate the Village's Commercial Communication Structure regulations related to the recent changes to State regulations.

NOW THEREFORE, BE IT RESOLVED, by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to re-evaluate and amend Commercial Communication Structure regulations the recent changes to State regulations; and
2. That the proposed changes in the Zoning Text are hereby referred to the Village staff for further study and recommendation; and
3. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes in the Zoning Text, but rather, is only initiating the process by which the proposed changes in the Zoning Ordinance Text can be promptly evaluated.

Adopted this 10th day of February 2014.

ATTEST:

VILLAGE OF PLEASANT PRAIRIE

Donald Hackbarth
Secretary

Thomas W. Terwall
Plan Commission Chairman

Date Posted

- E. Consider **Plan Commission Resolution #14-05** to initiate amendments to the Village Comprehensive Plan and Zoning Ordinance (text and map) related to the A-1, Agricultural Preservation District.

Recommendation:

Village staff recommends that the Plan Commission approve **Plan Commission Resolution #14-05** as presented at the February 10, 2014 meeting.

**VILLAGE OF PLEASANT PRAIRIE
PLAN COMMISSION
RESOLUTION #14-05
TO INITIATE AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN AND VILLAGE
ZONING ORDINANCE (TEXT AND MAP)**

WHEREAS, the Plan Commission may initiate a petition for amendments of the Comprehensive Plan and Zoning Ordinance, which may include rezoning of property, change in Zoning District boundaries, or changes in the text of said Zoning Ordinance.

WHEREAS, the Wisconsin's Farmland Preservation Program under Chapter 91 of the Wisconsin Statutes was signed into law as 2009 Wisconsin Act 28. The Act has three main components. First, it updates the State's current Farmland Preservation Program; second, it gives the ability for farmers and local units of government to establish voluntary Agricultural Enterprise Areas; and finally it provides a State program to help with the purchase of agricultural conservation easements, and

WHEREAS, pursuant to Section 91.10 of the Wisconsin Statutes, Kenosha County, is authorized to prepare and adopt a Farmland Preservation Plan as defined in Section 91.10(1) of the Wisconsin State Statutes, and

WHEREAS, an agreement exists between Kenosha County and the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) for the County to submit a Farmland Preservation Plan to DATCP for certification under section 91.16 of the Wisconsin State Statutes, by December 31, 2011, and

WHEREAS, adoption of a certified Farmland Preservation Plan makes farmers and landowners eligible to participate in the State tax credit program, agricultural enterprise areas and the purchase of agricultural conservation easement program, and

WHEREAS, the Kenosha County Farmland Preservation Plan has been prepared by the Kenosha County Department of Planning & Development with input from, and with the oversight of, the Farmland Preservation Advisory Committee, which included representation from the Village of Pleasant Prairie, and through public open houses and meetings, and

WHEREAS, the Kenosha County Farmland Preservation Plan contains data, maps, goals, objectives and policies required by, and in accordance with section 91.10(1) of the Wisconsin State Statutes; and

WHEREAS, on September 19, 2011 the Village Board adopted Ordinance #11-25 to adopted the update to the 1981 Kenosha County Farmland Preservation Plan as a component of the Village of the Village Board of Trustees may initiate a petition for an amendment to the Village Comprehensive Plan Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan pursuant to Chapter 390 of the Village Code of Ordinances; and

WHEREAS, Kenosha County submitted the Kenosha County Farmland Preservation Plan to the State of Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) for final review and certification that indicated one (1) property within the Village that the Village believed participated in the Farmland Preservation Program; and

WHEREAS, the Village received the *attached* letter on January 10, 2014 (**Exhibit 1**) indicting that the Village is no longer certified for Farmland Preservation Program for the tax year 2013; and

WHEREAS, the Kenosha County Farmland Preservation Plan was approved by DATCP without any agricultural preservation lands within the Village of Pleasant Prairie, because there were no farmers actively participating in the program; and

WHEREAS, as a result the Village is proposing to amend the Comprehensive Plan to note that as of December 31, 2012, the Village is no longer certified for Farmland Preservation Program by the State of Wisconsin Department of Agriculture, Trade and Consumer Protection and to repeal the adoption of the Kenosha County Farmland Preservation Plan (2011 update) as a component of the Village's Comprehensive Plan; and

WHEREAS, since the Village is no longer certified for the Farmland Preservation Program, the Zoning Ordinance is proposed to be amended to repeal the A-1, Farmland Preservation District and all references in the Zoning Ordinance related to the A-1 District and to amend the Zoning Map to rezone the portions of the one (1) remaining property zoned A-1, Agricultural Preservation District into the A-2, General Agricultural District.

NOW THEREFORE, BE IT RESOLVED, by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to update and correct the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan, Village Zoning Ordinance (Text and Map) as discussed above
2. That the proposed amendments are hereby referred to the Village staff for further study and recommendation.
3. That the public participation plan for the proposed Comprehensive Plan amendments are a part of the original public participation plan adopted by the Village Board by Plan Commission Resolution #06-53 on November 20, 2006 by the property owner will be the required 30 day public notice and the required public hearing pursuant to Chapter 390 of the Village Municipal Code entitled, "Comprehensive Plan".
4. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes, but rather, is only initiating the process by which the proposed changes can be promptly evaluated.

Adopted this 10th day of February 2014.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

Donald Hackbarth
Secretary

Thomas W. Terwall
Plan Commission Chairman

Date Posted:

05-A-1 amendments



State of Wisconsin
Governor Scott Walker

Exhibit 1

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

January 9, 2013

Village recieved letter on January 10, 2014

Diane Hardt, Administrator
Division of Income, Sales, and Excise Tax
Wisconsin Department of Revenue
2135 Rim Rock Road, 6-40
Madison, Wisconsin 53713-8903

Dear Ms. Hardt:

I am writing to inform you that the **Farmland Preservation Program zoning ordinance for the Village of Pleasant Prairie in Kenosha County** is no longer certified for Farmland Preservation Program for tax year 2013. The certification of the Village of Pleasant Prairie's FPP zoning ordinance expired at the end of 2012.

Farmers that own land in the Village of Pleasant Prairie are not eligible to claim tax credits through the Farmland Preservation Program under farmland preservation zoning in tax year 2013.

Please update your records to show that farmers with land in the Village of Pleasant Prairie are not eligible for Farmland Preservation program tax credits.

Sincerely,

Keith Foye, Director
Bureau of Land and Water Resources

cc: Michael Pollocoff, Administrator, Village of Pleasant Prairie, 9915 39th Avenue, Pleasant Prairie WI 53158
Dan Treloar, Land and Water Conservationist, Kenosha County Office of Planning and Development
Kevin Brandt, Supervisor, DOR Central Audit Unit
Keith Foye, DATCP

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- F. Consider **Plan Commission Resolution #14-06** to initiate a zoning text amendment related to traffic, parking and access provisions for building setbacks to fire lanes.

Recommendation:

Village staff recommends that the Plan Commission approve **Plan Commission Resolution #14-06** as presented at the February 10, 2014 meeting.

**VILLAGE OF PLEASANT PRAIRIE
PLAN COMMISSION
RESOLUTION #14-06
TO INITIATE ZONING TEXT AMENDMENTS**

WHEREAS, the Plan Commission may initiate a petition for amendments of the Zoning Ordinance, which may include rezoning of property, change in Zoning District boundaries, or changes in the text of said Ordinance.

WHEREAS, the Village staff is proposing to re-evaluate the Village's fire lane requirements related to location to a commercial building.

NOW THEREFORE, BE IT RESOLVED, by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to re-evaluate the traffic, parking and access zoning provisions as it related to fire lane setback regulations; and
2. That the proposed changes in the Zoning Text are hereby referred to the Village staff for further study and recommendation; and
3. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes in the Zoning Text, but rather, is only initiating the process by which the proposed changes in the Zoning Ordinance Text can be promptly evaluated.

Adopted this 10th day of February 2014.

ATTEST:

VILLAGE OF PLEASANT PRAIRIE

Donald Hackbarth
Secretary

Thomas W. Terwall
Plan Commission Chairman

Date Posted:

06-fire lane amendments

- G. Consider **Plan Commission Resolution #14-07** to initiate a zoning text amendment to clarify regulations related to 100-year floodplain boundary adjustments.

Recommendation:

Village staff recommends that the Plan Commission approve **Plan Commission Resolution #14-07** as presented at the February 10, 2014 meeting.

**VILLAGE OF PLEASANT PRAIRIE
PLAN COMMISSION
RESOLUTION #14-07
TO INITIATE ZONING TEXT AMENDMENTS**

WHEREAS, the Plan Commission may initiate a petition for amendments of the Zoning Ordinance, which may include rezoning of property, change in Zoning District boundaries, or changes in the text of said Ordinance.

WHEREAS, the Village staff is proposing to amend the Village floodplain regulations to clarify that the flood storage capacity may be compensated within an existing or newly created floodplain as part of a floodplain boundary adjustment.

NOW THEREFORE, BE IT RESOLVED, by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to re-evaluate and amend the floodplain regulations; and
2. That the proposed changes in the Zoning Text are hereby referred to the Village staff for further study and recommendation; and
3. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes in the Zoning Text, but rather, is only initiating the process by which the proposed changes in the Zoning Ordinance Text can be promptly evaluated.

Adopted this 10th day of February 2014.

ATTEST:

VILLAGE OF PLEASANT PRAIRIE

Donald Hackbarth
Secretary

Thomas W. Terwall
Plan Commission Chairman

Date Posted:

07-FPO Amend