

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39<sup>th</sup> AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
6:00 P.M.  
JUNE 9, 2014**

**AGENDA**

1. Call to Order.
2. Roll Call.
3. Consider the minutes of the May 12, 2014 Plan Commission meeting.
4. Correspondence.
5. Citizen Comments.
6. New Business.
  - A. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS** for the request of John Oswald on behalf of Wisconsin Electric Power Company to install a new ladder track on the west side of the Pleasant Prairie Power Plant to allow a location to perform repairs of railcars on We Energies property, which will reduce the number of rail cars that otherwise would have been removed from and returned to the property to be repaired at a local repair shop. The total lineal footage of new rail is expected to be approximately 2,500 feet. In addition, approximately 6 switches will be installed, plus the necessary stone ballast for rail support. A stone or concrete working pad will also be installed to aid the workers in performing rail car repairs.
  - B. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-10 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN** as a result of the proposed Kwik Trip gasoline, convenience store and car wash facility to be located at the southeast corner of 72<sup>nd</sup> Avenue and STH 165: **a)** to amend a portion of the LakeView East Neighborhood Plan 12 of Appendix 9-3 for the properties at the southwest corner of STH 31 and STH 165 for the proposed commercial development of this area including the proposed Kwik Trip facility; **b)** to amend the Village 2035 Land Use Plan Map 9.9 by changing a portion of the property located south of STH 165 and east of 72<sup>nd</sup> Avenue (Tax Parcel Number 92-4-122-281-0115) owned by FIAAT Investments LLC from the General Industrial land use designation to the Community Commercial land use designation and changing the properties located south of STH 165 and west of STH 31 (Tax Parcel Number 92-4-122-272-0475) owned by Richard and Dimitra Priebus, (Tax Parcel Number 92-4-122-272-0401) owned by John Felinski, a portion of the property located south of STH 165 and east of 72<sup>nd</sup> Avenue (Tax Parcel Number 92-4-122-281-0115) and all of Tax Parcel Number 92-4-122—281-0116 owned by FIAAT Investments LLC from the General Industrial land use designation to the Community Commercial with an Urban Reserve land use designation; and **c)** to update Appendix 10-3 of the Village 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.
  - C. **PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN** for the request of William Morris, agent on behalf of FIAAT Investments LLC for the proposed commercial development of properties located at the southwest corner of STH 31 and STH 165 as a result of the proposed Kwik Trip gasoline, convenience store and car wash facility to be located at the southeast corner of 72<sup>nd</sup> Avenue and STH 165.

- D. Consider the request of William Morris, agent on behalf of FIAAT Investments LLC for approval of a **Certified Survey Map**: to subdivide the properties located east of 72<sup>nd</sup> Avenue and south of STH 165 (Tax Parcel Numbers 92-4-122-281-0115 and 92-4-122-281-0116) owned by FIAAT Investments LLC.
- E. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of William Morris, agent on behalf of FIAAT Investments LLC to rezone a portion of Tax Parcel Number 92-4-122-281-0115 (Lot 1 of the proposed CSM that is proposed to be developed with the a Kwik Trip gasoline, convenience store and car wash facility) from the M-2, General Manufacturing District to the B-2 Community Commercial District and to rezone a portion of Tax Parcel Number 92-4-122-281-0115 and Tax Parcel Number 92-4-122-281-0116 (Lot 2 of the proposed CSM) from the M-2, General Manufacturing District to the B-2 (UHO) Community Commercial District with an Urban Landholding Overlay District.
- F. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS AND DIGITAL SECURITY IMAGING SYSTEM AND EASEMENT** for the request of William Morris, agent on behalf of FIAAT Investments LLC for approval of the proposed development of a 5,700 square foot Kwik Trip gasoline and convenience store and a 2,790 square foot car wash facility at the southeast corner of STH 165 and 72<sup>nd</sup> Avenue.
- G. **PUBLIC HEARING AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #13-03 AS AMENDED JANUARY 13, 2014** for the request of Attorney J. Michael McTernan agent for VIDHYA Corp, VIII, Inc., the property owners, to remove condition #54 and allow the BP Amoco gasoline station and convenience store located at 10477 120<sup>th</sup> Avenue to remain open after June 10, 2014 since the property's groundwater treatment system is fully operational and is in compliance with the Settlement Agreement.
- H. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-11 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN:** for the request of Mark Molinaro, Jr. of Partners In Design Architects, agent on behalf of the Hospice Alliance Foundation, Inc. owners of the property located at 10220 Prairie Ridge Blvd and a portion of the vacant property to the east for the future expansion of the Hospice facility: 1) to amend the Village 2035 Land Use Plan Map 9.9 by changing the land use designation of the property from the Community Commercial land use designation to the Government and Institutional land use designation to ensure that both the Zoning Map and the Comprehensive Land Use Plan are consistent; and 2) to update Appendix 10-3 of the Village 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.
- I. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-12 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN:** 1) to amend the Village 2035 Land Use Plan Map 9.9 of the Village's 2035 Comprehensive Plan. Specifically, the land use designation of property located at the southeast corner of CTH EZ (39<sup>th</sup> Avenue) and Springbrook Road is being changed from the Mixed Use Lands (Village Green Center) with an urban reserve land use designation to the Government and Institutional land use designation for the relocation and construction of Fire Station #1; and 2) to update Appendix 10-3 of the Village, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

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 39<sup>th</sup> 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.  
May 12, 2014**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on May 12, 2014. Those in attendance were Thomas Terwall; Michael Serpe; Wayne Koessler; Andrea Rode (Alternate #2); Jim Bandura; John Braig; and Bill Stoebig (Alternate # 1). Donald Hackbarth and Judy Juliana were excused. Also in attendance were Mike Pollocoff, Village Administrator; Tom Shircel, Assistant Village Administrator and Peggy Herrick, Assistant Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE APRIL 7 AND 14, 2014 PLAN COMMISSION MEETINGS.**

Wayne Koessler:

Move approval, Chairman.

John Braig:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JOHN BRAIG TO APPROVE THE MINUTES OF THE APRIL 7TH AND APRIL 14TH MEETINGS AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? Motion carried.

- 4. CORRESPONDENCE.**
- 5. CITIZEN COMMENTS.**

Tom Terwall:

If you're here for an item on the agenda that is listed for a public hearing we would ask that you hold your comments until the public hearing is held so we can incorporate your comments as a part of the record. However, if you're here for an item that's not a public hearing or an item not on the agenda now would be your opportunity to speak. We'd ask you to come to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens' comments? Seeing none, we'll move onto Item 6, New Business.

**6. NEW BUSINESS**

Wayne Koessl:

Mr. Chairman?

Tom Terwall:

Yes.

Wayne Koessl:

Through the Chair to the staff, can we take Items A, B, C, D and E at one time and they're all related and have separate motions?

Peggy Herrick:

Sure.

Michael Serpe:

Second.

Tom Terwall:

**MOVED BY WAYNE KOESSL AND SECONDED BY MIKE SERPE TO COMBINE ITEMS A THROUGH E FOR PRESENTATION, BUT WE WILL STILL HAVE SEPARATE BALLOTS. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**A. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-09 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN for the request of John Lass, Vice President-**

Development for the property owner, Centerpoint WisPark Land Company II LLC, for the following amendments to the Village's 2035 Comprehensive Plan for the proposed development of the vacant properties generally located at the southeast corner of CTH H (88th Avenue) and 116th Street: 1) to amend a portion of the Green Hill Farms Neighborhood Plan 8 of Appendix 9-3 for the properties at the southeast corner of CTH H (88th Avenue) and 116th Street to show the proposed Outlot for the existing stormwater basin as open space and to show the location of the wetlands south of the transmission lines; 2) to amend the Village 2035 Land Use Plan Map 9.9 by changing the proposed Outlot at the southeast corner of CTH H (88th Avenue) and 116th Street from the General Industrial land use designation to the Park, Recreational and Other Open Space Lands designation and changing the proposed Outlot south of the high tension lines from the Low-Medium Density Residential with an Urban Reserve land use designation to the Park, Recreational and Other Open Space Lands designation; 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. Consider the request of John Lass, Vice President-Development for the property owner, Centerpoint WisPark Land Company II LLC for approval of a Certified Survey Map to re-divide the properties generally located at the southeast corner of 116th Street and 88th Avenue in LakeView South.
- C. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of John Lass, Vice President-Development for the property owner, Centerpoint WisPark Land Company II LLC, for the industrial development of the vacant properties generally located in the southeast corner of CTH H (88th Avenue) and 116th Street for a Zoning Map Amendment. Specifically, to rezone Outlot 1 from the M-2, General Manufacturing District to PR-1, Neighborhood Park and Recreational District and to rezone Outlot 2 from the A-2, General Agricultural District to PR-1 and any portion of Lot 1 that is currently zoned A-2 to the M-2, General Manufacturing District. Outlots 1 and 2 are for shared storm water facilities for the development proposed on Lots 1 and 2. Portions of the property that are zoned C-1, Lowland Resource Conservancy District will remain unchanged.
- D. Consider the request of John Lass, Vice President-Development for the property owner, Centerpoint WisPark Land Company II LLC for approval of Site and Operational Plans for the development of a 521,000 square foot speculative industrial building to be located on Lot 2 of the proposed CSM generally located on the south side of 116th Street east of 88th Avenue known as LakeView South Lot 117 and the mass grading of Lot 1 and Outlots 1 and 2 of the proposed CSM located at the southeast corner of 88th Avenue and 116th Street.
- E. Consider the request of John Lass, Vice President-Development for the property owner, Centerpoint WisPark Land Company II LLC for approval of Site and Operational Plans for the development of a 412,000 square foot speculative industrial building to be located on Lot 1 of the proposed CSM generally located on the south side of 116th Street directly east of 88th Avenue known as LakeView

**South Lot 118 and the mass grading of Lot 2 and Outlots 1 and 2 of the proposed CSM located at the south and east of 88th Avenue and 116th Street.**

Peggy Herrick:

Item A is a public hearing and consideration of Plan Commission Resolution 14-09 for amendments to the Village Comprehensive Plan. This is for the request of John Lass, Vice President of Development for the property owner, Centerpoint WisPark Land Company II LLC, for the following amendments to the Village's 2035 Comprehensive Plan for the proposed development of the vacant properties generally located at the southeast corner of CTH H which is 88th Avenue and 116th Street: 1) to amend a portion of the Green Hill Farms Neighborhood Plan 8 of Appendix 9-3 for the same properties at the southeast corner of 88th Avenue and 116th Street to specifically show the proposed outlot for the existing stormwater basin as open space and to show the location of the wetlands south of the transmission lines; 2) to amend the Village 2035 Land Use Plan Map 9.9 by changing the proposed outlot at the southeast corner of 88th Avenue and 116th Street from the General Industrial land use designation to the Park, Recreational and Other Open Space Lands designation and changing the proposed outlot south of the high tension lines from the Low-Medium Density Residential with an Urban Reserve land use designation to the Park, Recreational and Other Open Space Lands designation; 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.

Item B is consideration of a certified survey map to subdivide that same property at the southeast corner of 88th Avenue and 116th Street. Item C is consideration of a zoning map amendment. Again, this is for the request of Centerpoint WisPark Land Company II LLC for the industrial development of the same property. Specifically they are requesting to rezone Outlot 1 from the M-2, General Manufacturing District to the PR-1, Neighborhood Park and Recreational District, and to rezone Outlot 2 from the A-2, General Agricultural District to PR-1, Park and Recreational District. Any portions of Lot 1 that are currently zoned A-2 would be rezoned to the M-2, General Manufacturing District. Outlots 1 and 2 are for shared stormwater facilities for the development proposed on Lots 1 and 2, therefore they're being put into that Park and Rec District. Portions of the property that are zoned C-1, Lowland Resource Conservancy District, will remain unchanged.

Item D is consideration of site and operational plans for Centerpoint WisPark Land Company II LLC for approval of site and operational plans for the development of a 521,000 square foot speculative industrial building to be located on Lot 2 of the proposed CSM and mass grading of Lot 1 and Outlots 1 and 2 of the proposed CSM.

Item E is approval of a site and operational plan for the request of Centerpoint WisPark Land Company II LLC for the developed of a 412,000 square foot speculative industrial building located on Lot 1 of the proposed CSM, and with that development they would be proposing to mass grade Lot 2 of the CSM and Outlots 1 and 2 of the proposed CSM. So those are the five separate items that will be discussed at this one public hearing, but separate actions will be required.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on these issues.

Peggy Herrick:

I would like to give the presentation. That was just the action items. Again, the petitioner is requesting to develop the southeast corner of 116th Street and 88th Avenue. The properties are proposed to be re-divided to create two parcels for industrial development and two outlots for shared stormwater management facilities. Again, the Comprehensive Plan amendment, the first one is to amend a portion of the Green Hill Farms Neighborhood Plan 8 of Appendix 9-3. This will further clarify this neighborhood plan to show the proposed stormwater facilities at Outlot 1 right at the corner of 88th Avenue and 116th Street and the wetland boundaries that were redelineated down in the south of the transmission lines are being shown. They're also showing the proposed buildings on Lot 1 and 2 on the neighborhood plan. So this is just a refinement of the current neighborhood plan.

The second amendment is to amend the Land use Plan Map 9.9. Again, we're changing the outlot at the southeast corner from General Industrial land use designation to the Park and Recreation and Other Open Space Lands, and we're changing the proposed south of the high tension lines from the Low-Medium Density Residential with an Urban Reserve land use designation to the park and Recreation and Other Open Space Land designation. Back in 2009 when we adopted the land use plan all stormwater management facilities are placed into that Park and Open Space land use designation. So we're just correcting the map to reflect what they're proposing to do.

The third amendment to the Comprehensive Plan is to, again, update Appendix 10-3 to reflect the above noted changes to the land use plan map.

The next item, the certified survey map, the CSM proposes to re-divide the two properties by creating two lots and two outlots for industrial development. Lot 1 is proposed to be 25.36 acres with over 1,100 feet of frontage on 88th Avenue. Lot 2 is proposed to be 28.56 acres with over 400 feet of frontage on 116th Street. Outlot 1 is proposed to be located on the corner of 116th Street and 88th Avenue and will be 2.23 acres. Outlot 2 is proposed to be located south of Lots 1 and 2 with over 50 feet of frontage on 88th Avenue and will be 14.78 acres. Again, Outlots 1 and 2 will be used for the required stormwater management facilities for both Lots 1 and 2 of this CSM.

The next item is the zoning map amendment. Lot 1 and 2 will remain in the M-2, General Manufacturing District, and any portions of Lot 1 that is currently zoned A-2 is proposed to be rezoned into the M-2, General Manufacturing District. Outlot 1 is proposed to be rezoned from the current M-2 District to the PR-1, Neighborhood Park and Recreational District. Outlot 2 is proposed to be rezoned from the current A-2, General Agricultural District, to the PR-1 District. Outlots 1 and 2 are, again, for shared stormwater facilities for the development of Lots 1 and 2 of that CSM. Any portions of the lots or outlots that are currently zoned C-1, Lowland Resource Conservancy District, will remain unchanged.

So with the Comprehensive Plan amendments and the zoning map amendments if these amendments are approved both the zoning map and the land use plans will be consistent, and that is the goal for the zoning map and the comprehensive plan.

Item D on the agenda, the petitioners are proposing to develop the vacant properties, again, located at the southeast corner of 116th Street and 88th Avenue. As previously discussed, the



properties are proposed to be redivided and create two parcels for industrial development and two outlots for shared stormwater management facilities. At this time the owners are requesting approval of site and operational plans to develop Lot 1 known as LakeView South Lot 118 and mass grade Lots 2 and Outlots 1 and 2. That's the next item on the agenda, Item E. This item is to approve site and operational plans to develop Lot 2 known as LakeView South Lot 117 and mass grade of Lot 1 and Outlots 1 and 2. Prior to the issuance of any permits the petitioner will determine which building will be built first and proceed accordingly.

LakeView South Lot 117 is proposed to be located on Lot 2 of the proposed CSM which is 28.56 acres with over 400 feet of frontage of 116th Street. The building is 521,000 square feet with two shared access points to 116th Street. The eastern most entrance on the east is being shared with the existing building located at 8123 116th Street, and the western most entrance is proposed to be shared with LakeView South Lot 118. A third access that aligns with the existing access driveway to 8500 116th Street located north on the north side of 116th Street. Pursuant to Section 420-47 K shared driveway access may be allowed by the Plan Commission as long as the underlying district minimum lot widths are maintained. The shared driveway entrance may cross property lines at the right of way except for driveway access onto a County or State highway right of way and a driveway shall not cross property lines. If the shared driveway access is approved an easement and maintenance agreement shall be prepared by the owner, approved by the Village and recorded at the owner's expense at the Kenosha County Register of Deeds office.

The Village staff recommends approval of the shared driveway access and the required easement and maintenance language be added to the CSM. All parking areas and maneuvering lines, fire lanes including the truck court shall be improved with concrete vertical curb and gutter. The plan includes 233 parking spaces plus 11 handicapped accessible space both north and south of the building. A truck court faces east and west and provides for 81 semi truck spaces plus an additional 62 additional off trailer parking spaces which is on the west side. You can see their access road comes down the west side of the building. They have loading docks and trailer space adjacent to the building, and then they have an additional 62 off trailer parking spaces.

Pursuant to the Village zoning ordinance a minimum of onsite parking spaces for the manufacturing use would require five spaces plus one space per employee on the largest shift, and the required number of handicapped parking spaces pursuant to the State code. The minimum onsite parking spaces for a warehouse distribution center is one space for every two employees during any 12 hour period and the required number of handicapped accessible parking spaces pursuant to the State code. At the proposed time that a use is known adequate onsite parking should be reverified to show that they're meeting the number of parking spaces based on the number of employees.

Again, at this time there is no identified user for this speculative building. As information any tenant space that proposes to use or occupy 50 percent or more of this building will require site and operational approval from the Plan Commission. Also depending on the use proposed the tenants may require a conditional use along with site and operational plan approval by the Plan Commission as well.

As indicated previously the property is zoned M-2, General Manufacturing District, and there are wetlands along the south property line of this lot. The wetlands on Lot 1 and Outlots 1 and 2 were field delineated on July 16 and 17, 2009 and will need to be re-evaluated prior to construction. And if any wetlands are proposed to be filled as shown on the site and operational

plans then written approval and permits from both the DNR and the Army Corps of Engineers is required to be submitted. Upon the re-evaluation of the wetlands a copy of the wetland staking report, a plat of survey showing the location of the wetlands including a legal description of the wetlands and the name and the date they were delineated shall be submitted to the Village with written concurrence from either the DNR or the Army Corps of Engineers. An application to correct the zoning map and the Comprehensive Land Use Plan may be required after the new delineation and wetland filled permits are obtained.

The M-2 District requires buildings meet the following minimum setback requirements: Street setback minimum of 65 feet from arterial highways and streets; side setback 45 feet minimum for all buildings; and the wetland setback of 25 feet. The buildings currently meet all these setback requirements as shown. The location and parking lots, maneuvering lanes and the fire access lanes shall be set back a minimum of 20 feet to property lines and 25 feet from the wetlands. And the M-2 District requires a minimum of 25 percent of the site being open space. The site currently provides 27 percent open space. So the site plans as submitted meets the minimum requirements of the M-2 zoning district.

Item E relates to the development of Lot 1 which is LakeView South Lot 118 and the mass grading of Lot 2 and Outlots 1 and 2. Again, prior to issuance of permits the petitioner will determine which building is proposed to be built first, this one on this lot or the previous one. LakeView South Lot 118 is proposed to be located on Lot 1 of the proposed CSM which is 25.36 acres with over 1,100 feet of frontage on 88th Avenue. The building on this lot is 412,000 square feet with a shared access on 116th Street which is being shared with the LakeView South Lot 117 proposed to the east. There are two other driveway access points which are located on 88th Avenue. Again, shared driveway access may be approved by the Plan Commission, and the Village staff is recommending that that same access be shared and approved by the Plan Commission.

The plan includes 231 parking spaces plus 10 handicapped accessible spaces both on the north and the south side of the building. The truck court faces east and west and provides for 48 semi truck spaces and docks and 62 additional off building trailer parking spaces to the east. So both the off site trailer parking spaces are between the two buildings for both buildings. So that will be in the center so you won't see that from any of the adjacent road right of ways. Again, there is no identified user for this speculative building. As information, any tenant that proposes to use or occupy 50 percent or more of this building will require site and operational plan approval by the Plan Commission. And tenants depending on their use may also require a conditional use permit. At the time the proposed use is known adequate offsite parking will need to be evaluated to make sure they meet the minimum requirements based on the number of employees.

Again, this property is M-2. The buildings as presented meet the minimum setbacks from the street of 65 feet, from the side property lines of 45 feet, and a wetland setback of 25 feet. The location of the parking lots, the maneuvering lanes and fire access lanes shall be set back a minimum of 20 feet from property lines and 25 feet from the wetlands. Again, this site plan does meet those requirements as well. This site provides 31 percent open space where a minimum of 25 percent of the site is required to be open space.

So that discusses Items A through E on the agenda. There are representatives here in the audience if they'd like to add something else. Or if you have any comments or questions for them I'm sure they'd be happy to answer them. But two of these items are public hearings.

Tom Terwall:

Are representatives of the presenter wishing to make any comments?

Adam Artz:

Yes, sir. Hi, Adam Artz, Pinnacle Engineering Group, 15850 West Bluemound Road, Brookfield, Wisconsin. We're here on behalf of the owner [inaudible] Centerpoint WisPark joint venture. The only clarification I wanted to make is we have received a wetland fill permit for the pond that was referenced there. We can provide that documentation. And the reason we have a wetland fill is we performed conceptual engineering on this when Lakeview 12 was built which is immediately east of this. And we prepared an overall site plan and a development plan. And as a result of our wetland delineation reaching its statute of limitations we went back out in the field to renew that, and a low quality wetland in a farm field was there and it was extremely small. It was only a couple thousand square feet, had projected out from the trees. So we submitted for a wetland fill and were subsequently granted such fill. So if you have any questions we'll be glad to answer them.

Tom Terwall:

Thank you. This is a matter for public hearing. Is there anybody else wishing to speak? Anybody wishing to speak? Anybody wishing to speak? Hearing none, I'll open it up to comments.

Jim Bandura:

This is a question to the staff. There's a page 48 of the package, certified survey map number 2730. I didn't see any reference to 2730 in the package. And it also mentions Meijer's distribution as an owner.

Peggy Herrick:

And where are you reading that?

Jim Bandura:

It's on page 48 of the 451 pages.

Peggy Herrick:

Is it in the dedications and easement language of the CSM? I don't have the packet in front of me.

Jim Bandura:

That's a good question. The computer is going slow here.

Peggy Herrick:

Yes, so is ours.

Adam Artz:

I believe the reference that you are referencing is the sample language for a pond easement that is provided for our --

Peggy Herrick:

Correct, you provided a sample.

Jim Bandura:

Good, good.

Tom Terwall:

Anybody else? I was going to say if you reads all 451 pages you're one up on me.

Wayne Koessl:

Mr. Chairman, if there are no more questions, I'd move that the Plan Commission approve Commission Resolution #14-09 as presented.

Jim Bandura:

Second.

Tom Terwall:

**MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA FOR THE COMMISSION TO ADOPT RESOLUTION 14-09 AS PRESENTED. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Now we need a motion to send a favorable recommendation to the Village Board for the certified survey map.

Jim Bandura:

So moved.

Michael Serpe:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY MIKE SERPE TO SEND A RECOMMENDATION TO APPROVE THE CERTIFIED SURVEY MAP. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Number 3 we need a motion to send a favorable recommendation to the Village Board for the zoning map amendment for this project.

Jim Bandura:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY WAYNE KOESSL TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Number D we need a motion to approve the site and operational plan.

Michael Serpe:

So moved.

Jim Bandura:

Second.

Tom Terwall:

**MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO APPROVE THE SITE AND OPERATIONAL PLAN AS PRESENTED. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Peggy Herrick:

Excuse me, Tom, is that subject to all the conditions?

Tom Terwall:

Yes. Item E then is to approve the site and operational plan subject to the terms and conditions outlined in the staff memorandum.

Wayne Koessl:

So moved, Chairman.

Andrea Rode:

Second.

Tom Terwall:

**MOVED BY WAYNE KOESSL AND SECONDED BY ANDREA RODE TO APPROVE 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.

**F. Consider the request of Clay Chiappini, of Butler Design Group, agent for approval of a Certified Survey Map to subdivide the vacant property located at the 11000 block of 88th Avenue in LakeView Corporate Park into two parcels.**

Tom Terwall:

You want to take F and G together?

Peggy Herrick:

Yes, please.

John Braig:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

**MOVED BY JOHN BRAIG AND SECONDED BY WAYNE KOESSL TO COMBINE ITEMS F AND G FOR DISCUSSION PURPOSES WITH TWO SEPARATE VOTES. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**G. Consider the request of Clay Chiappini, of Butler Design Group, agent for approval of Site and Operational Plans for the construction of a 377,472 square foot bottling facility proposed to be located at 11031 88th Avenue in LakeView Corporate Park.**

Peggy Herrick:

Item F is consideration of a certified survey map to subdivide the vacant property located at 11000 block of 88th Avenue in LakeView Corporate Park into two parcels. And Item G is to consider approval of site and operational plans for the construction of a 377,472 square foot bottling facilities proposed to be located at 11031 88th Avenue in Lakeview Corporate Park.

The petitioner is proposing to subdivide the 28.5 acre property generally located at the 11000 block of 88th Avenue within LakeView Corporate Park into two parcels and to develop the 22.8 acre parcel with the construction of a 377,472 square foot bottling facility to be known as Niagara Bottling. Niagara is a family owned and operated company since 1963. Niagara is the largest private label bottled water supplier in the U.S.

The certified survey map: The CSM proposes to subdivide the approximate 28.5 acre property into two properties. Lot 1 is proposed to be 22.8 acres with 150 feet of frontage on 88th Avenue, and Lot 2 is proposed to be 5.65 acres with over 600 feet of frontage on 88th Avenue. The properties are currently zoned M-2, General Manufacturing District, which requires lots to be a minimum of 2 acres with 150 frontage on a public street. Both lots being created by the CSM meet the minimum lot area and frontage requirements of the M-2 District. Lot 1 of the CSM is proposed to be developed with a 377,472 square foot bottling facility to be known as Niagara Bottling.

The site and operational plans: Niagara Bottling, LLC herein referred to as Niagara, is proposing to construct a new 377,472 square foot water bottling facility. This facility will be used to manufacture plastic bottles and caps and produce bottled water products. This building is proposed to be constructed on Lot 1 of the CSM.

Niagara is a bottled water manufacturing company that runs vertically integrated, high speed water bottling lines. The process starts by receiving raw PET and HDPE resin recycled or virgin which is then melted down to make PET preforms and HDPE caps. The preforms are then blow molded into bottles and then immediately filled with either purified or spring water.

The purified water will be sourced from local municipal water which will be filtered, processed by reverse osmosis and disinfected with ozone prior to bottling. The spring water will be purchased from approved spring sources, hauled to the processing facility where it will be filtered and disinfected with ozone prior to bottling.

Bottles are volumetrically filled in an enclosed filler, then they are capped, date coded and labeled. Upon leaving the filler the bottles pass through a vision inspection system which rejects packaging defects, over and under- filled bottles. The bottles then travel down a conveyor to the packer where they are placed on pallets and wrapped. The pallets are then put into storage and are ready for shipping. The facility will manufacture various sizes and types of bottled water products. Actual production may vary but it's anticipated to produce 88,000 24-pack cases per day. The anticipated first bottle date is November 14, 2014.

Based upon the application materials filed with the Village, the proposed use is not classified as a High Hazard Occupancy Type pursuant to the Use and Occupancy Classification as specified in Chapter 3 of the 2006 International Building Code, therefore the use is a permitted use and is not a conditional use. Pursuant to the application 88,400 square feet is classified as Factory Group F-1, which is moderate hazard, 279,693 square feet is classified as Storage Group S-1, which is a moderate hazard, and 6,286 square feet is classified as Business Group B.

The total number of full-time employees at start-up will be approximately 70 and 105 are expected at full production capacity. There will be no part time or seasonal employees. The anticipated maximum number of employees on site at any given time of the day is 58. This is only expected during shift changes. The facility is proposed to operate 24 hours a day, seven days a week. Niagara will operate four shifts to achieve full production capacity. The anticipated number of employees per shift is as follows: first shift 37; second shift 21; third shift 26; and fourth shift 21.

Pursuant to the Village Zoning Ordinance the minimum onsite parking spaces for a manufacturing use is 5 spaces plus 1 space per employee on the largest shift, plus the required



number of handicapped accessible parking spaces pursuant to the State code. Therefore a minimum of 42 parking spaces plus the required number of handicapped accessible parking pursuant to the State code is required. Although this is the minimum number required, Village recommends that adequate onsite parking be provided during shift changes as well. A total of 78 parking spaces including 4 handicapped accessible parking spaces are proposed to accommodate the onsite parking for both shift workers and shift changes.

Niagara anticipates a maximum of 150 and a daily average of 120 automobile trips to and from the facility daily. Niagara anticipates a maximum of 370 and daily average of 300 trucks in and out of the site. A total of 79 truck parking spaces are provided on the site. The site, upon completion of its development, will have 25.2 percent of open space which meets the 25 percent minimum of the M-2 District.

The Village is in the process of designing the offsite public sanitary sewer to service the development. The existing public sanitary sewer that flows south is not adequate for this development. The public sanitary sewer will be designed for a peak flow of 1800 gpm. The Village will obtain all necessary permits from the Wisconsin Department of Natural Resources, Southeastern Wisconsin Regional Planning Commission and the Kenosha Water Utility prior to the installation of the public sanitary sewer. The Village will provide the water service stub from the existing 16-inch main to the County Trunk Highway H right-of-way line.

In addition, as part of this project the Village will design and construct the relocated County Trunk Highway H driveway for the Liberty Illinois LP property to the immediate north. This driveway relocation will result in separate driveways for the Liberty and Niagara properties. Currently the property to the north has a driveway that enters into I believe their truck area which straddles the property line. That's going to be relocated totally to the north on their property so they'll have separate entrances and access points for both developments.

An agreement between the Village and Niagara shall be executed which addresses the commitments for obtaining an emergency cross-access easement driveway requirement with the Liberty Illinois LP land to the north, the relocation of the Liberty LP driveway to the north, the bypass lane on County Trunk Highway H to be constructed by Kenosha County, the reimbursement of impact fees, the extension of public sanitary sewer in 88th Avenue and water and sewer rate modification requests.

This is not a matter for public hearing, but there are representatives in the audience if they have anything further to add or you have any questions for them.

Tom Terwall:

Is the petitioner present?

Justin Bickle:

Hi, I'm Justine Bickle with Niagara Bottling. I just want to give a brief introduction.

Tom Terwall:

Give us your address for the record please.

Justin Bickle:

It's 2560 East Philadelphia Street, Ontario, California. That's headquarters. If you could go back to the previous slide with the information. Something that we're going to have to fix is those shift numbers are not accurate. We're going to be installing one line at the inception of this facility, and one line is 41 employees. So we build the facility large enough to grow four lines into it. So max employment will be at 120. So it would actually be more than all those. But at the inception of the plant we'll have 41 employees and one line with obvious expectation that we would eventually grow into it. So I just wanted to make that clear first.

But you gave a brief introduction so I'll just elaborate a little more. So the company was founded in 1963 by Andrew Peykoff, Sr. Again, we are headquartered in Ontario, California. And Mr. P as he's referred to began the company by selling five gallon glass container of water for office and home delivery like the milkman. And over time dedicated himself to being innovative and creative and turned Niagara into the early '90s in California. In southern California where they had the Riverside earthquake cut off his raw material supply and his bottle supply. So he did something that had never been done before and decided I'm going to take a shot and we're going to become a vertically integrated manufacturer.

Well, that catapulted Niagara into being extremely innovative and obviously vertically integrated and allowed them to bring engineer in-house and design the bottle and make it ecologically friendly as well as increase capacity and sales in a broader reach of customers. So in the early '90s we transitioned into grocery, club store, convenience store type customer base. And that expanded greatly for us. In 2002 Mr. P's son, Andy, took over as President and CEO of the company, and things really took off from there.

So we went from a small home delivery company in the '60s when Mr. P founded the company, being extremely innovative, committed and invested to technology and being ecologically friendly. So over time we've changed obviously. We now have -- well, I should say at the end of 2013 we had 13 existing manufacturing facilities across the country. We made our first acquisition of a competitor in January so now we own and operate 18 facilities across the country. So we recently announced -- so this project and another project we recently announced, the other one is going outside of Atlanta in Coweta County, Georgia, so these will be respectively our 19th and 20th plants. And we still have a couple more we're working on for this year as well including our first international plant. So things have changed greatly.

I mentioned a little bit about our technology, our commitment to investing in technology. We have the most automated and technologically advanced lines in the world. We have many patents exclusively on our manufacturing lines. And as you alluded to the production rates, the new lines produce 18,000 bottles per minute. So they're obviously highly automated. Another innovative testament is our nested pack. If you've ever been in Lowe's or Home Depot you've probably seen our water. They're two of our customers. And what we did is we developed a technology where the plastic packaging around the cases of water nest. So we've nested the bottles and positioned them, and the plastic is shrunk to form to them so that you can carry them. What that did is that eliminated the corrugate bottle. So we not only save millions upon millions of dollars a year on cardboard for each case, but it's saving that many more trees in the process, too.

One thing that we really hang our hat on is being recognized as the most innovative PET manufacturer. We have been recognized as that. We have a patent and trademark on our eco

bottle which is the lightest bottle in the world. So if you've seen our single bottle, 16.9 ounce that comes in a case, that is our eco air bottle. Again, we manufacture that bottle and the cap in-house. And then the water that's brought in we have purified water and spring water. So that water is run through purification and filtration and disinfection processes. And then it's packaged and shipped out. We do not do our own shipping. We use 3PL or the company direct. But that's just a little bit of history that I wanted to give about the company. So more than happy to answer any questions if anybody has any. But want to thank you for the time.

Tom Terwall:

Thank you.

Michael Serpe:

I have one. Any of your facilities require the use of well water?

Justin Bickle:

Yes. We do have some facilities that we have dug for a well so some of them do have well access, yes.

Tom Terwall:

The raw material for the making of the bottles how is that delivered to the plant?

Justin Bickle:

It's delivered and then stored into our silos on site and brought in. We have deliveries every day.

Tom Terwall:

By rail or by truck?

Justin Bickle:

By truck, yes, by truck. Rail is something we might think about and consider in the future but right now its truck.

Bill Stoebig:

So the estimates for the 88,000 bottles a day that's just on one line?

Justin Bickle:

Yes, correct.

Bill Stoebig:

So with four lines you'd be almost at 400,000?

Justin Bickle:

Correct.

Bill Stoebig:

How would that relate with trucking and shipping? Would that be then 300 to 1,200 trucks a day?

Justin Bickle:

I don't know what that translates into. Our logistics team has all of those statistics. Do you have any numbers on that?

Clay Chiappini:

My name is Clay Chiappini. I'm with Butler Design Group, 5017 East Washington Street, Phoenix, Arizona, the project director and design architect for Niagara. The numbers that they had given the staff for compiling this report were full ultimately build out numbers. So when you look at the vehicular traffic and the truck traffic that is ultimate build out. Just a point of clarification. The resins, when we talk about resin, the PET, it's a dry pellet. So it's actually delivered in a tanker truck and blown by hand into the three silos, the three shorter silos. Recently Niagara has taken on another good environment stewardship, and they're actually using recycled plastics, too. They have to co-mingle it so they don't get a discoloration of the bottles. But the third silo is for actually recycled plastics. And, by the way, they won't be brown. They will be painted to match the building.

Tom Terwall:

Thank you. This is not a matter for public hearing, but is there anybody in the audience that wishes to raise a question now would be your opportunity. Yes, sir? Come --

--:

What's vertical manufacturing?

Justin Bickle:

Vertically integrated? So we bring in the raw material, that resin, so we do everything in-house. So in the '90s when we had the earthquake in southern California we used to get our bottles somewhere else. We just used to filtrate and purify and disinfect the water and the ship it back out. But since we had a cutoff in our supply in those bottles Mr. P decided that he was going to deal directly with other companies and bring the raw material and that plastic resin to manufacture our own bottles and our own caps in house so we never had to run that risk again losing our supply chain to get product out.

[Inaudible]

Justin Bickle:

Correct. So we're a 100 percent manufacturer right now.

[Inaudible]

Michael Serpe:

We have to get this on tape, sir. If you're going to ask any questions you have to approach the microphone.

Kenneth Jeep:

Kenneth Jeep, 9923 38th Avenue, Pleasant Prairie. And the question is has there been studies done on landfill, the additional burden on landfill with the additional plastic use?

Tom Terwall:

Thank you.

Justin Bickle:

I know for a fact that corporate has done so. I don't have that information with me on hand. But I would be more than happy to put anybody in contact with our corporate legal counsel and our corporate engineer to discuss that. I don't want to speak about something that I don't know for a fact.

Tom Terwall:

Do you manufacture bottles for anybody else?

Justin Bickle:

Ninety percent of our business is private labeling. So if you've ever been in a Costco, Sam's Club [inaudible].

Tom Terwall:

But I mean you don't make empty bottles for someone?

Justin Bickle:

No, we do not.

Jim Bandura:

That's a good lead in. Because my question is would you be bottling for different brands?

Justin Bickle:

Only the club and convenience stores, the private labelers. No other brand. So that bottle right there that you have, that Nestle Pure Life Bottle we'll have to switch that one out. Actually I'm speaking on a panel in a few weeks and Nestle was on the panel, and I said I can't participate. So they took Nestle off and they kept us. One last thing that I wanted to say is this will be our third Midwest facility. I live in Columbus, Ohio. So I live in a suburb called Gahanna and that's actually ironic [inaudible] our Gahanna facility is as our newest Midwest facility. It's been up and running just over a year now. It's been 15 or 16 months. Then we have another one that's in Plainfield, Indiana right outside of Indianapolis. But I'm extra excited to see this one grow up because I actually have an aunt and uncle and six cousins that live in Kenosha. So when I'm here more often I'll get to see them every once in a while.

Tom Terwall:

Thank you. If there's no further questions I'll entertain a motion to send a favorable recommendation to the Village Board to approve the CSM.

Wayne Koessl:

So moved, Chairman.

John Braig:

Second.

Tom Terwall:

**MOVED BY WAYNE KOESSL AND SECONDED BY JOHN BRAIG TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CERTIFIED SURVEY MAP SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? Motion carried. And next we need a motion to approve the site and operational plan.

John Braig:

So moved.

Michael Serpe:

Second.

Tom Terwall:

**MOVED BY JOHN BRAIG AND SECONDED BY MIKE SERPE TO APPROVE 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:

So ordered. Motion carried. Welcome. We look forward to having you with us.

**H. Consider the request of Randy Copenharve, agent for Uline for approval of Preliminary Site and Operational Plan for mass grading and installation of storm water management facilities for the future construction of a proposed warehouse/distribution building on the property located at 12575 Uline Drive.**

Peggy Herrick:

Item H is the consideration of the request of Uline for approval of Preliminary Site and Operational Plan for mass grading and installation of stormwater management facilities for the future construction of a proposed warehouse/distribution building on the property located at 12575 Uline Drive.

The petitioners are requesting approval of Preliminary Site and Operational Plans for the mass grading and the installation of stormwater management facilities required for the future construction of a warehouse/distribution building. Again, this is on the property located as 12575 Uline Drive in the Village. The proposed mass grading of the site is for the land area located west of the existing corporate office building and warehouse, which is south of 104th Street and east of County Trunk Highway U. The property is zoned M-1, Limited Manufacturing District. There are wetlands, shoreland areas and 100-year floodplain located on the property; however these environmental areas are not located within the proposed grading area and will not be disturbed.

Earthmoving equipment and trucks are proposed to enter the site through the existing westernmost entrance on 104th Street in Pleasant Prairie for the mass grading and the installation of the stormwater drainage and retention basin facilities. The western 200 feet of the Uline property is located in the Village of Bristol. Any work within Bristol will require their review and approval for any work activities located in that community. The work being approved by Pleasant Prairie is only for the work within the Village of Pleasant Prairie.

Site and Operational Plans will be required to be submitted by Uline to Pleasant Prairie for any future building development that may be proposed on this property. Again, they are looking just to do mass grading and installation of stormwater management facilities. The proposed mass grading and stormwater facility improvements requested by Uline are consistent with the

Conceptual Plan as conditionally approved by the Village Board of Trustees on October 18, 2010 for the Uline Corporate Campus. This is not a matter for public hearing, but there is a representative in the audience if you have further questions.

Tom Terwall:

Does the petitioner wish to add anything?

Adam Artz:

Again, Adam Artz, Pinnacle Engineering Group, 15850 West Bluemound Road, Brookfield, Wisconsin. I'm here tonight on behalf of Uline Corporation. We were retained for the development of site civil engineering plans for the further development of their campus. As Peggy mentioned, in 2010 Uline acquired additional lands to the west from their original property and subsequently went through an annexation process to bring it into the Village. At that time they proposed a 1.3 million square foot building.

In their long range planning they always intended to construct this second building. It's been shown in different shapes and sizes throughout the years. But the one thing that remains consistent is the significant amount of earth work that needs to be undertaken to accommodate such a facility. Given the fact we went through one of the worst winters in recent years for construction, Uline has decided to invest in their property and start mass grading operations out there. So once they decide they need their facility they can start building it without the two to three month period before any building construction could happen purely as a cost savings and time investment this year service. At this time they are not proposing a building. We are purely asking for mass grading facilities. This would be similar to what you'd see in a new business park where the ponds would be constructed, some drainage provisions and generally speaking moving a lot of dirt to prepare for it.

Tom Terwall:

Thank you. Peggy, that whole facility would be in Pleasant Prairie will it not?

Peggy Herrick:

Yes. You can see the red L-shaped dashed line, that was the property that was annexed from Bristol into the Village, and then the outer green space area that is still in Bristol. So their building and their parking facilities will be in the Village of Pleasant Prairie. It's my understanding there will be some berms constructed in the green space by County Trunk Highway U in the Village of Bristol, and those plans will need to be reviewed and approved by them prior to any [inaudible].

Tom Terwall:

But Bristol will not be approving any building plans, is that correct?

Peggy Herrick:

Correct, that will all be approved by the Village because that's all in the Village.



Tom Terwall:

Thank you. Any comments or questions?

John Braig:

Move approval.

Wayne Koessl:

Second, Chairman.

Tom Terwall:

**THERE'S BEEN A MOTION BY JOHN BRAIG AND A SECOND BY WAYNE KOESSL TO APPROVE THE PRELIMINARY 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.

- I. Consider the request of John Burroughs of Majestic Realty Company for a one (1) year extension of the conditional approval of the Site and Operational Plans for the construction of a 1,180,480 square foot warehouse/distribution center on the 91 acre site generally located approximately ¼ mile south of Bain Station Road on the east side of 88th Avenue (Tax Parcel Number 92-4-122-162-0301) to be known as the Majestic Badger Logistic Center.**

Peggy Herrick:

This is to consider the request of John Burroughs of Majestic Realty Company for a one year extension of the conditional approval of the Site and Operational Plans for the construction of a 1.1 million square foot warehouse/distribution center on the 91 acres of land which is generally located approximately one quarter mile south of Bain Station Road on the east side of 88th Avenue, Tax Parcel Number 92-4-122-162-0301. It was to be known as the Majestic Badger Logistic Center.

On May 13, 2013, the Plan Commission conditionally approved Site and Operational Plans for the petitioner to develop this vacant property with the construction of a 1,1 million square foot warehouse/distribution building known as Majestic Badger Logistic Center. The Plan Commission conditionally approved the Site and Operational Plans for one year until May 13, 2014 subject to the conditions specified in the attached approval letter which was dated June 4,

2013. Prior to the expiration of the approval all conditions of this approval shall be satisfied and permits shall be issued unless the Plan Commission grants this extension. Again, they're looking for a one year extension until May 13, 2015 which would be subject to compliance with the June 4, 2013 approval letter and compliance with any Village ordinance amendments made since the May 13, 2013 original approval. Adam Artz is in the audience for this project as well. So if you have questions for him I'm sure he could answer those.

Tom Terwall:

Is there anything you wish to add?

John Braig:

Move approval.

Michael Serpe:

Second with a question. Is there site work being done at all on this property for anything?

John Braig:

They're harvesting top soil.

Adam Artz:

In case you guys don't remember me, Adam Artz, Pinnacle Engineering, 15850 West Bluemound Road, Brookfield, Wisconsin. Yes, there is site work being done. Last year kind of similar to the Uline case there was some significant amount of earth work that needs to be done. And last year Majestic Realty decided to work on some of the lowlands around the creek to make sure that when construction started high moisture content wouldn't prohibit an accelerated time line or require the use of liming. So we'll call it a soil remediation package was submitted to the Village and subsequently approved.

And then we are also planned and permitted to allow -- we'll have to pull another erosion control permit for a floodplain remediation project basically changing the boundaries of the floodplain. At this moment we're not asking for that. It's purely the exception. But I should follow up, are we doing anything right now? Not really moving dirt, it's purely the excess topsoil that was stockpiled has been arranged to get removed from the property so it's not in a stockpile fashion.

Wayne Koessl:

Adam, maybe you do not know the answer to this, but are they not looking up in Somers also for a site?

Adam Artz:

Majestic Realty is a nationwide company. Somers is one of the parcels that they took options on, they're looking at, but they're active in a lot of different places.

Tom Terwall:

There's a sign that's got 88 acres for sale. Is that the same parcel?

Adam Artz:

Yes, sir.

Peggy Herrick:

Yes.

Tom Terwall:

So the land is also for sale?

Adam Artz:

Everything is always for sale in a business park.

Peggy Herrick:

I think it's a build to suit. It says build to suit on there, so they're still looking for people to occupy a building.

Tom Terwall:

Oh, okay. Anything further? I think we had a motion already?

Wayne Koessl:

John made the motion. There was a second by Mike.

Tom Terwall:

**MOTION BY JOHN BRAIG AND A SECOND BY MIKE SERPE TO APPROVE THE ONE YEAR EXTENSION SUBJECT TO THE TERMS AND CONDITIONS OUTLINES BY THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Okay.

**J. Consider approval of an Affidavit of Correction to CSM 2747 for the properties located at the northeast corner of 104th Avenue and 77th Street within the Prairie Ridge development related to an incorrect legal description on the CSM.**

Peggy Herrick:

Item J is consider approval of an affidavit of correction to CSM 2747 for the properties located at the northeast corner of 104th Avenue and 77th Street within the Prairie Ridge development related to an incorrect legal description on that CSM. As you may recall this CSM was approved by Plan Commission last October-ish I believe, 2013. Once it was recorded Kenosha County Land Information office found errors in the legal description, and those need to be corrected. So this affidavit of correction prepared by the surveyor that prepared this CSM corrects that legal description. So Village staff recommends approval of the affidavit of correction to CSM 2747 subject to the owner recording the correction document and providing a recorded copy to the Village within 30 days of the Village Board approval.

Tom Terwall:

Comments or questions? Hearing none, a motion to send a favorable recommendation to the Village Board is in order.

Jim Bandura:

So moved.

John Braig:

Second.

Tom Terwall:

It's been moved by Jim Bandura and seconded by John Braig to send a favorable recommendation to the Village Board to approve the affidavit of correction. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**K. Consider the request of Dustin Harpe of Harpe Development to amend the Access Restriction for Lot 163 in Village Green Heights Addition #1.**

Peggy Herrick:

This is the request of Dustin Harpe of Harpe Development to amend the access restriction for Lot 163 of the Village Green Heights Addition #1 Subdivision. The petitioner is requesting to amend the access restriction for Lot 163 in Village Green Heights Addition #1 Subdivision to allow for a home to be located on the property with direct access to Cooper Road. Pursuant to the access restriction on the final plat, the driveway for this lot shall not be located on Cooper Road. However, the grading plan for this lot slopes the property so placing the house the other direction with access off of 98th Street does not work for the construction of a home. So they are asking to place the driveway on Cooper Road as far south as possible without being in the 12 foot drainage and utility easement off of Cooper Road.

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the modified access restriction provided said restriction is recorded at the Kenosha County Register of Deeds office prior to the issuance of building and zoning permits for the new home and a recorded copy is provided to the Village within 30 days of approval.

Tom Terwall:

What's your pleasure?

John Braig:

Question. What are your requirements regarding placement of a driveway a distance from the corner?

Peggy Herrick:

The requirement is 100 feet from centerline of the driveway to centerline of the intersection. However, if not enough access is allowed for that then as far away from the intersection as possible. The Village engineering department has reviewed this request, and they are supportive of this as well.

John Braig:

Thank you.

Wayne Koessl:

If there's no more questions, Chairman, I'll move approval.

Andrea Rode:

Second.

Tom Terwall:

**MOVED BY WAYNE KOESSL AND SECONDED BY ANDREA RODE TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Wayne Koessl:

Mr. Chairman, are we going to take Items L, M and N at the same time and separate votes?

Peggy Herrick:

Yes, please.

John Braig:

So moved.

Michael Serpe:

Second.

Tom Terwall:

**MOVED BY JOHN BRAIG AND SECONDED BY MIKE SERPE TO COMBINE ITEMS L, M AND N FOR DISCUSSION PURPOSES BUT SEPARATE VOTES. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**L. PUBLIC HEARING AND CONSIDERATION OF A MASTER CONCEPTUAL PLAN for the redevelopment of the Village Hall property located at 9915 39th Avenue, including the relocation of Fire Station #1 to the adjacent property located at the southeast corner of CTH EZ (39th Avenue) and Springbrook Road.**

- M. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AND ZONING MAP AMENDMENT: 1) to rezone the property at the southeast corner of CTH EZ (39th Avenue) and Springbrook Road (Tax Parcel Number 92-4-122-243-0020) from the B-2, (UHO), Community Business District with an Urban Landholding Overlay District to the I-1 (PUD), Institutional District with a Planned Unit Development Overlay District and to add a PUD to the property at 9915 39th Avenue (Tax Parcel Number 92-4-122-243-0025; and 2) a Zoning Text Amendment to create the specific PUD requirements for the re-development of the Village Campus.**
- N. Consider approval of the Site and Operational Plans for the re-location of the Fire Station #1 and modifications to Village Hall for the property located at 9915 39th Avenue and the vacant property to the north.**

Peggy Herrick:

Item L is consideration of a master conceptual plan for the redevelopment of the Village Hall property which is located at 9915 39th Avenue, which includes the relocation of Fire Station #1 to the adjacent property located at the southeast corner of County Trunk Highway EZ which is 39th Avenue and Springbrook Road which is the property directly north here of the Village Hall.

Item M is consideration of a zoning text and zoning map amendment to rezone the property at the southeast corner of County Trunk Highway EZ and Springbrook Road from the B-2, (UHO), Community Business District with an Urban Landholding Overlay District into the I-1 (PUD), Institutional District with a Planned Unit Development Overlay District and to add a PUD to the property at 9915 39th Avenue and a zoning text amendment to create the specific PUD requirements for the re-development of the Village Campus. So when everything is completed the Village Hall property and the property to the north will be zoned I-1 (PUD).

Item N is consideration of approval of the site and operational plans for the re-location of the Fire Station #1 and modifications to Village Hall for the property located at 9915 39th Avenue and the vacant property to the north.

The Master Conceptual Plan for the development of the Village Campus includes the property, like I said, here at 9915 39th Avenue which is the Village Hall property and the vacant triangular-shaped property to the north for site improvements including expanded parking areas, reconstruction of 100th Street and 38th Avenue, landscaping, sidewalks, stormwater management facilities and the relocation of Fire Station #1 from the basement of this building to a brand new stand alone building to the north portion of the site. For your reference, the Village Board did approve the Certified Survey Map at its April 21, 2014 meeting that combined these two properties and dedicated additional right-of-way for future roadway improvements in 39th Avenue.

The development of a new Fire Station #1 and the associated Village Campus improvements will create a unified governmental campus-like amenity that will integrate with the planned Village Green Center development to the north, south and west. The new Fire Station #1 will provide accommodations for future increases in Fire & Rescue personnel and will also provide for much needed apparatus bay emergency vehicle storage. The construction of pedestrian plazas and sidewalks along public streets and interior to the site will provide increased walking/bicycling

opportunities and will integrate well with the planned walkable Village Green Center retail area to the immediate west, across 39th Avenue.

Upon completion of the relocation of Fire Station #1 to the new Fire Station #1, the interior areas of the former fire station area will be renovated into a new Village Hall auditorium and meeting spaces. In addition, the parking lot will be reconstructed south of the Village Hall and a small entrance vestibule to the south side of the new auditorium space will be added.

Additionally, from early summer /early winter 2015, 39th Avenue will be reconstructed from north of 104th Street extending north to 97th Street. This section of 39th Avenue will be an urban profile with curb and gutter, with two travel lanes, a 2.5 foot bicycle lane and a 10 foot sidewalk, parallel parking and a roundabout at the Springbrook Road intersection. As previously noted, the two existing 39th Avenue driveways to the Village Campus will be permanently closed. New access to the Village Hall and new Fire Station #1 will be via Springbrook Road, 100th Street and 38th Avenue.

Site and Operational Plan approval is being requested for the construction of a new Fire and Rescue Station #1, and for renovations of the existing Fire & Rescue Station #1. The Village has contracted with Plunkett Raysich Architects in Milwaukee for the design of the new fire station. Riley Construction Company has been selected to act as the construction manager for this project. The CM shall provide construction coordination and oversight of the project to the Village during the construction phase of the project. The project team will be responsible for shop drawing review and approval and is expected to assure that the selected contractors complete the project within the specifications outlined in the bid documents and in compliance with all applicable Village, State and Federal regulations. Additionally, the CM will be required to attend weekly construction project meetings on-site, or more frequently if necessary, as requested by the Village.

Currently, the Village Fire and Rescue Department operates out of two fire and rescue stations, station #1, located at 9915 39th Avenue and Station #2, located at 8044 88th Avenue. Constructed in 1967, Station #1, situated on the lower level of the south side of the Village Hall building, is a part of the Village Hall complex. Station #1 consists of an apparatus bay that houses two pumper-tanker fire engines, a grass fire truck and two ambulances; a dayroom; dormitory/sleeping area; and a small office/work space. Assigned to Station #1 are a minimum of three personnel typically staffed with four.

In June 2011, the Village purchased the property that will accommodate the new Fire Station #1 located north of the Village Hall. With the growth of the Department in both personnel and assets, it has become apparent that the increase in personnel and the number of and type of fire apparatus housed in the existing Station #1 is no longer conducive to the original design and intent of the existing Station #1. Specifically, the existing Station #1 is no longer functional because the apparatus bays have become too small and inadequate to house the new, larger and lengthier ladder and pumper/tanker trucks.

The approximate 17,600 square foot 1-story, with a mezzanine which is approximately 30 feet high at the highest point of the roof, new fire station will be built on a vacant, Village-owned, triangular-shaped parcel located immediately north of the Village Hall at the southeast corner of the Springbrook Road-39th Avenue intersection. The main building components include:



- 6,800 sq. ft., 8-door, drive-thru apparatus bay and this is on the east side of the building
- Decontamination
- SCBA/air fill
- Gear and laundry
- Hose storage
- Hose drying tower
- Storage
- Watch room and other offices
- Conference and training rooms
- And eight bed dormitory area
- Kitchen
- Dining
- Dayroom
- Turnout gear room
- Mezzanine with training and practice areas

Phase 1: Beginning in the spring of 2014, construction will commence on the majority of the Village Campus which includes the Fire Station #1 site and Fire Station #1 building construction. Site improvements will include expanded parking areas, reconstruction of 100th Street and 38th Avenue, the permanent closing of the 39th Avenue driveways to the site, landscaping, sidewalks and stormwater management facilities. The Village has contracted with R.A. Smith National and GAI Consultants for the design of the Village Campus site and infrastructure improvements.

Phase 2: Upon completion of the new Fire Station #1, the current Fire Station #1 apparatus bay, dormitory, dayroom and other department-used areas in this building will become unused and available space. Phase 2 will begin in 2015, which includes the physical moving and relocation of the current Fire Station #1 to their new facility. Upon completion of the relocation, the interior renovations of the former Fire Station #1 unused space into new Village Hall auditorium and meeting space will begin. Phase 2 will also consist of exterior parking lot reconstruction, south of the Village Hall and in addition of a small entrance vestibule to the south side of the new auditorium space.

The new fire station will be located closer to single-family residences than it is currently is. The normal, general noise emanating from the fire station building itself will be minimal. The new Fire Station #1 building has been strategically designed and situated on the site to help alleviate any noise impacts on the abutting residences. The following design implementations will be enacted to act as screening/buffering between the new Fire Station #1 and the abutting residences and will facilitate the reduction of noise:

1. A 16 foot wide tier of low impact rooms consisting mainly of various storage-related rooms is located along the east side of the apparatus bay.
2. These rooms along the east side of the Fire and Rescue Station are lower in height, which provides a reduction in building mass.
3. Several of the existing large trees located between the new fire station and the residential properties to the east are being protected and saved.

4. The side setback of the new fire and rescue station building is 65 feet to the east property line, which is 40 feet greater than the minimum required in the I-1 district which is setback of side setback of 25 feet is currently what's allowed.
5. The rear or south setback of the new fire station building is approximately 170 feet to the nearest residential property line which is 145 feet greater than the minimum required I-1 zoning district rear setback of 25 feet.

The Fire Station #1 fire-medics are very cognizant of the residential neighbors and will make every attempt to be respectful to the citizenry. The fire and rescue vehicle drivers will be mindful of the residential neighbors and make every attempt to be prudent when they are activating vehicle sirens. Typical sirens are not triggered until the vehicles reach the major arterial roadways which would be 39th Avenue or Springbrook Road depending on the traffic at the time.

The new fire station and the surrounding site work is designed whereby any new stormwater drainage from the building and paved, impervious surfaces will run-off at a lesser rate and amount than the previous stormwater run-off conditions. Stormwater will be collected in stormwater pipes and directed to a new basin at the northwest concern of 100th Street and 38th Avenue. Mike is pointing that out.

Parking and site access: Pursuant to Section 420-50 of the Village Zoning Ordinance, the minimum off street parking spaces required for a government building is one space for each 200 square feet of gross floor area used by the public and one space for each 600 square feet of gross floor area not used by the public, plus the required handicapped accessible parking spaces pursuant to state requirements. As calculated below in the staff memo the Village Hall requires 59 parking spaces and the fire station requires a minimum of 35 parking spaces, plus the handicapped accessible parking. Therefore, the number of off street parking spaces required 94 parking spaces is as follows: The plans provides for a 167 parking spaces including nine (9) handicapped accessible parking spaces.

Zoning map and text amendments: The Village Hall property, again, is currently zoned I-I, Institutional District, and the property to the north where Fire Station #1 is proposed to be reconstructed is proposed to be rezoned from the current B-2, (UHO), Community Business District with an Urban Landholding Overlay District, into the I-1 District. In addition both the Village Hall site and the new Fire Station #1 site will be rezoned into the PUD, Planned Unit Development. In addition to the Zoning Map Amendment, the attached Zoning Text Amendment to create the specific PUD requirements for the Village Campus is proposed

The Village Campus, consisting of the existing Village Hall and the new FS #1, will be developed and enhanced as a unified government campus, consisting of integrated and shared parking areas, sidewalks, driveways, maneuvering lanes and stormwater management facilities, with cohesive landscaping throughout the development. Additionally, the new fire station will be architecturally similar to the existing Village Hall using the same exterior building materials, roofing material and architectural style.

In order to accomplish the Village Campus as a unified development, a few requirements of the Village Zoning Ordinance will need to be slightly modified through the implementation of a Planned Unit Development Overlay. The community benefits of the PUD include:

- A more unified, aesthetically attractive government campus.
- A more walkable, community-friendly development that will readily provide increased pedestrian interconnections with the adjacent Village Green Center development.
- An increased functionality of Village facilities through the provision of a much-needed new Fire Station #1 and the conversion of the outdated Fire Station #1 to Village staff and community meeting space and auditorium space.
- The union of stormwater management facilities into one retention pond that will collect stormwater from the entire Village Campus site as well as from the reconstructed 39th Avenue; therefore lessening the need for multiple stormwater basins.

Specifically the following dimensional modifications are included in the PUD:

1. Section 429-126 I (5) (a) requires a minimum street setback of 65 feet from arterial streets and a minimum street setback of 30 feet from non-arterial streets. The widening of the 39th Avenue right-of-way will result in the existing Village Hall building being setback 39.7 feet from the new 39th Avenue right-of-way, an arterial street, whereby a 65 foot street setback is required. In addition, the Village Green Center mixed use development has been planned for zero setbacks to property lines to the street to provide more walkable commercial mixed use development; therefore, a zero building setback will be allowed adjacent to 39th Avenue to be similar to the Village Green Center. A minimum building setback of 65 adjacent to Springbrook Road and a minimum as currently in the ordinance. And the minimum setback of 30 feet to non-arterial streets, 100th Street and 38th Avenue will be maintained and not be amended.
2. Section 420-47 A (1) requires a minimum spacing between driveways, as measured from centerline to centerline, based upon the road designed speed limit. The Village Campus will have two driveways to Springbrook Road which is an arterial road. The two driveways are necessary to safely separate the visitor/employee vehicles from the Fire Station #1 emergency response vehicles. These two Springbrook Road driveways will be spaced at approximately 200 feet apart. Based on the 35 mph speed limit, the ordinance requires a spacing distance of 300 feet.
3. Section 420-47 D requires a maximum driveway width of 35 feet as measured at the right-of-way line. The PUD will allow the Fire Station #1 driveway to Springbrook Road to be 60 feet wide at the right-of-way line. This will allow for the larger pumper and ladder trucks and those vehicles need to exit the facility in a timely manner and require a wider driveway to facilitate emergency responses. So that's the easternmost driveway leading out of the fire station which will be that large.
4. Section 420-48 L requires that parking areas which includes parking spaces, maneuvering lanes, and fire lanes be setback a minimum of 20 feet to property lines and rights-of-way. The maneuvering lane along Springbrook Road is proposed to be setback 9.3 feet from the adjacent right-of-way line. This is the driveway that kind of loops around the west side of the fire station. So that way if there's someone that needs to get from one side to the other they don't have to exit out on Springbrook Road to come back in to go around.

So that maneuvering lane where it's adjacent to Springbrook Road will be about 9.3 feet from the Springbrook Road property line.

5. The fifth dimensional modification included in the PUD is from Section 420-57 H(2) (i) which specifies certain allowed roofing material of which a standing seam metal roof is only allowed in the Park and Recreational Zoning District. To help create a unified development theme, the new Fire Station #1 will have a hip-style standing seam metal roof similar to the roofing material on the Village Hall.

On June 9, 2014, a public hearing will be held to consider amendments to the Comprehensive Land Use Plan to ensure that the zoning map and the land use plan are consistent. Currently the property for Fire Station #1 is shown in the mixed land use Village Green Center with an urban reserve land use designation. Although a fire station would be allowed in that land use designation, since we are proposing to rezone that property to I-1 to make the maps consistent the comprehensive land amendment would then also put it in the Government and Institutional land use designation so the two maps are consistent. That public hearing is being scheduled for June 9th.

With that there are two public hearings with these different requests. There are representatives in the audience if you have further questions both from Crispell-Snyder I see people and from the architect's firm is here. Also Mike and Tom if you have further questions for them. But there is a public hearing on two of these items tonight.

Tom Terwall:

Before I open it to the public do the petitioners wish to add anything? Mr. Riley, is that why you're here?

Devin Keck:

Hi, my name is Devin Keck. I'm with Plunkett Raysich Architects. I'm the project designer for both the fire station and the Village Hall renovation. I just wanted to thank you for seeing us today along with Dave Riley. And with what Peggy said we're really trying to marry the two buildings together, create a campus feel. We're using very high quality durable materials with the stone to match, metal panel and then the standard seam metal roof that will give the same style aesthetic as the Village Hall. I'm available for any questions.

Tom Terwall:

Thank you. Dave, anything further? You've been sitting here patiently all night. I knew there had to be some reason.

Dave Riley:

Dave Riley, 5301 99th Avenue, Kenosha, Wisconsin. We're the construction manager on the project. Obviously when it comes to constructing a building like this inside a neighborhood like this there are challenges. I think we've shown through the years that we're up for those challenges. Keeping streets clean, making sure debris are picked up, etc., etc., would be one of our goals of the project. If there's any other questions on logistics I'd be happy to answer them.

Tom Terwall:

After the job you guys did on the RecPlex you have my full confidence, I can tell you that. This is a matter for public hearing. Excuse me, Mike?

Mike Pollocoff:

Just a comment I want to make to keep the perspective of this. For quite a few years now we've been evaluating the Village Green plans and how this whole neighborhood is going to develop. The Village received with Kenosha County's assistance a grant of approximately \$1.8 million to improve 39th Avenue from where the existing improvements end at 104th down to 97th Avenue. And making that base infrastructure improvement does a number of things. One is it provides that main access point to the Village Green commercial development that enables that to happen. But it also provides access to the Village Green site or for the Village Hall site.

100th and 39th Avenues, and it's a little bit hard to see on this map, but for the people who have been around here for a while you know when we have a big election or a major meeting cars end up parking on those streets which are rural profile streets. They're 22 to 24 feet wide. And we want to widen those streets out to like a residential urban profile, but we're going to be using our new Village spec which calls for those streets to have a concrete base with asphalt over them. There's two reasons we're doing that. One is that we've learned over the years that that's the way to make a street last a long time. And secondly the nature of the equipment that's coming out of the fire department it's not like it was 50 years ago when this building was built where you have basically a farm truck with a tank on it. We're carrying 1,500 gallons of water. The truck itself is big. And if you look at the parking lot behind the fire station that thing is beat to hell. And it doesn't look much different now than two years after it was paved. We really need a concrete road and a top surface to maintain that.

Well, in moving the station up to where we are one of the access points is going to be, of course, coming out to Springbrook Road, but another access point could be 38th Avenue down to 100th. If that truck over a period of years is running down that road and we keep the road the way it is or we rebuild it in the same format that road will be trashed in no time either from the heavy weight of the fire trucks going in there.

We know, and you can see the proposed roundabout that's laid out there as part of the 39th Avenue project, and that's going to happen next year. We want to get this work done this year for a couple reasons. One is the fire station is in dire need of being able to get all of our equipment that we have into that fire station. Right now we have some equipment we're storing in a warehouse not in the fire station. So when we need to bring equipment in for a big reserve we're going to another facility and taking it out of a warehouse. So we need to get that equipment into a place where we can respond with it.

Secondly, we want to make sure that the access for the fire department to maneuver on the east side of the Village whenever they have to go wherever in the Village while that construction is taking place on 39th Avenue. This project here will ensure that 100th and 38th Avenue are completed so that when that major construction occurs on 39th we can still do business out of the fire station. As you can see the driveway access to the main Village Hall lot is being closed. That access would come right out into when the curves are starting on the roundabout. And we

feel that for that to be a safe access we need to move that over to Springbrook. Otherwise somebody would keep turning around to Springbrook, and they might not be able to get over to the roundabout itself.

And that project there is really part of 39th Avenue and 100th and getting 38th Avenue working in these driveway access points are part of the tax increment district for the Village Green improvement project. That's happening separately from the improvements that we're looking to make for the Village Hall. So we have a lot of balls in the air on this, and we are starting to deal with more people that are questioning about what are the possible things that they can do in the Village Green commercial development to make that happen. And having 39th Avenue completed that's going to be a concrete road as well and built up to specs so we know that as the Village Green commercial area builds we're not going to beat that road up and then we'll be stuck with a bad road when that development is done. That will also be a more modern spec for our development.

We're taking every step we can to make sure we're improving the storm sewer in the area. Right now on 100th everything drains down to the south, of course. And we'll have a basin there, and then we're reconstructing a storm line or relocating it where it will actually be in the roadway and we'll be abandoning -- there's an old metal culvert that's currently in that ditch line. It works most of the time but when it doesn't work you really wish it was working. We're going to get that fixed and replace that. So hopefully we can take care of some of the drainage problems that exist in the area and get the traffic problems when we're at our peak use so that we could handle it with the existing parking on site and with better roads. With that, Mr. Chairman, if you have any questions.

Tom Terwall:

When the whole project is done will this still be the auditorium for the Village Board?

Mike Pollocoff:

This will be the Municipal Court. And part of that back room will be a small office for the court and a small office for the prosecuting attorney. And court will be held in here. Court's held right now three days and it could go more. Again, in 1967 the Municipal Court was held in one of the ten by ten office buildings in there. And now we can have 40 people here in court. And we only have one, we're down to one auditorium for the entire Village. We used to have one at Prange. We do have some meeting space at RecPlex but that space is occupied. So you can see on the map there what's shown on the bottom is where the garage doors are now for the fire department. So basically we're putting a wall up where the garage doors are and we're creating a meeting room where the bay is.

And then where the day room is we're putting in another meeting room that's more of a larger conference room. One of the things we are required to get the building up to code that exists today versus back in 1967 we have to construct an elevator from the first floor to the second floor. So Tom is showing where the auditorium is that can be split into two rooms so the Plan Commission and the Village Board as well as the rest of the commissions will meet in here. But there's also going to be an ability we have a curtain in there. We have numerous people where it's mostly neighborhood associations, because we have close to 30 neighborhood associations in

the Village, can come here and meet, and they're not stuck paying a charge someplace to go meet. And that south lot will handle any of the meetings that they have for that area over there as well.

Tom Terwall:

And voting will be in this room yet?

Mike Pollocoff:

On voting days we'll probably be using this meeting room and then the one down below. Right now we're voting on this end of town we're at Good Shepherd Lutheran Church, and that's a pretty tight space. And we'll be moving and redistricting where people are voting so we'll be able to have two voting places with parking to accommodate it. So we'll use both ends of the building for the November -- there won't be an election in November. So we'd have for the presidential election in '16 would be our next big election where we'd have that in place. Architecturally, and it's a little bit hard to tell here, but the fire station and the addition downstairs will basically look like the existing Village Hall. It's a mix of block and some lannon stone and a standing seam metal roof. We're not changing the style of it that much.

Tom Terwall:

Chief moving over here?

Mike Pollocoff:

No, he says he doesn't want to be any closer to me than he is right now. The administrative offices for the department will be at Station 2.

Tom Terwall:

I don't blame you, Chief. That's smart. This is a matter for public hearing. Yes, sir?

Dan Snyder:

My name is Dan Snyder with GAI Consultants, 700 Geneva Parkway, Lake Geneva. We've been working with the Village staff for the last four months in the civil design work for this project. Just wanted to mention that the Village staff has been extremely sensitive to providing a unified campus. So we're planning for uniform lighting throughout the campus, unique stormwater management concepts and relandscaping throughout the campus again to tie it in together. So if you have any questions for us.

Tom Terwall:

Who are you with now Dan?

Dan Snyder:

GAI Consultants.

Tom Terwall:

Does Crispell-Snyder still exist?

Dan Snyder:

As a company of GAI yes we do.

Tom Terwall:

Same company just a new name.

Dan Snyder:

Same people.

Wayne Koessl:

Mr. Chairman, may I ask Dan a question. Dan, what kind of lighting are you going to put on that property?

Dan Snyder:

It's LED lighting.

Wayne Koessl:

It's not going to be invasive to the property owners?

Dan Snyder:

Absolutely. The Village is very sensitive.

Wayne Koessl:

Okay, so to the south and the east that light will not be shining that way?

Dan Snyder:

Absolutely.

Wayne Koessl:

Thank you.

Tom Terwall:

This is a matter for public hearing. Is there anybody else wishing to speak? Yes, ma'am. You've been sitting here patiently all night.



Jan Goldberg:

My name is Jan Goldberg, and we own the property directly across the street at 3801 100th Street. So we are now going to have a pond in our front yard. We bought this property probably in 1990 and built on it in '92 because it was a Village. So this is going to affect the entire Rolling Meadows. But most of all it's going to affect my house, Mr. Tinker's house on the corner, the house right there and the farmhouse over there. How do you expect that this is going to affect our property values?

Tom Terwall:

Mike, anything to add?

Mike Pollocoff:

I wouldn't anticipate -- it shouldn't lower it.

Jan Goldberg:

It should lower our property values. I'm really concerned about it.

Mike Pollocoff:

No, I think the pond is going to improve it because what we're going to be doing is dealing with a lot of stormwater issues that right now are left to just run at will. Right now there's no centralized way to collect the stormwater that's running. So when we come into a peak event it's coming out of the ditches, and it's eroding the ditches there. The pond is not going to be a slew, it's going to be a pond, it's going to have a fountain in it to make sure you don't have mosquitos there and it doesn't get musty. Everything is going to be landscaped really well. For us we see nothing but a positive impact on stormwater drainage for the whole area, and we're going to make it aesthetically look nice. It would be similar to the pond that you see up on 93rd Avenue going into Meadowdale.

Jan Goldberg:

I don't think that's as close to the houses but I could be mistaken. I also wanted to ask we have approximately 125 feet of frontage. We have a triangular shaped lot. Only a small portion of it which we could build on which we did. And we have all sorts of flags and things going on the entire lot line about wetlands. We had holes drilled in the street in front of our house which I never seem to be able to get an answer. A company with an auger this big came and drilled holes in the street in front of our house. And there are flags all up and down. Are you putting in a new road, or are you going to put in curb and gutter there on 100th Street.

Mike Pollocoff:

In front of your house what we're going to be doing as I indicated there's a storm -- it's not even a storm sewer, there's a culvert that's across the street that collects a good share of the water. And we're replacing that with a regular sized storm sewer that's sized to accommodate the flow

coming out of the basin. So what they're doing with the flags that are out there before we put that in we want to locate where the cable TV is, the phone, the gas, the electric, everything is so when we go to construct this we don't hit something and interrupt someone's service.

It's going to be a curb and gutter profile from 39th Avenue to 38th Avenue, and then after that it's going to taper back to the current profile that we have. So on your property we're not going to acquire any additional property from you. Your lot is going to stay the way it is. The one thing we're going to do is improve the drainage that comes by your property because right now there isn't any control on it. Whatever happens it runs and runs. Now that stormwater is going to be directed into the basin, and it's going to be released at a controlled rate rather than just letting it go.

Jan Goldberg:

Well, our property extends a little bit beyond 38th Avenue.

Mike Pollocoff:

Right. If you have time our engineer is here, Mike Spence our engineer, and someone from GAI could actually roll out the plan and show you what we have so you could see exactly where it will be on your specific parcel.

Jan Goldberg:

But what are the wetland flags that are all along our property.

Mike Pollocoff:

Whenever we do any construction we have to identify where wetlands are. So we either have to work around them where possible or we have to mitigate any damage that would happen to those wetlands. And we have to stake them out to find them where they are so we can deal with it.

Jan Goldberg:

And what were the auger holes in the middle of the street?

Mike Pollocoff:

Because we're doing soil borings. Because when we construct that new road and we construct the storm sewer we want to know the ability of the soil to handle that weight and what steps we have to take during construction to make sure that road doesn't collapse or fail when we do the work.

Jan Goldberg:

Well, I'm all for progress, but we bought a piece of property in the Village, and now we are almost going to be a part of the Village Hall because you can look out the window and see our house across the street. I'm sorry I'm not very happy with that. Thank you.

Tom Terwall:

Thank you. Anybody else? Yes, sir?

Ken Jeep:

Ken Jeep, 9923 38th Avenue, Pleasant Prairie. At the risk of I don't mean to alienate any of my neighbors, and I'll take a little risk at that, but I applaud the Board's effort on what they've done with this but I do have a couple of questions and some concerns. Number one being on 38th Avenue why are we having a cul-de-sac as well as a through street there? I don't understand why.

Mike Pollocoff:

The cul-de-sac is just that parcel where the Village Hall is now is an older plat. That's the right of way line. So we don't use that --

Ken Jeep:

That's just the property line?

Mike Pollocoff:

Yeah.

Ken Jeep:

Okay, so you're not planning on --

Mike Pollocoff:

If you look at the map that's up there now you can just see really what we need for the road is where you see for the road the rest of the cul-de-sac head is just going to remain green.

Ken Jeep:

Alright, I couldn't tell that from the --

Mike Pollocoff:

Now, if you were vacate that and add it to your property it would give you a larger lot, and that would show up in your assessment.

Ken Jeep:

Right. The other thing is the drainage issues I think. Our north side of our lot has been under water most of the time. We're doing our part to invest the area with mosquitos. So I really do hope that as you mentioned and talked about drainage issues I hope that that's addressed not only

for me. My property is certainly a big part of it, but I hope that for my neighbors as well that that's been addressed and talked to and planned for.

Mike Pollocoff:

If you look at the map up there you can see where the parking lot is behind the fire station. And right now what happens is that water comes off that hill, and it just heads onto your property and wherever it can find. So when we regrade the site and construct it there will be inlets along that curb line to pick up that water. And before it gets to your property it will run it down 38th Avenue, and it will put it into the detention basin and release it. So you will still have water, so whatever lands on the ground between the curb and your property line will still come on your property. But that's a far less smaller area than what's going to happen. We're going to remove more water that's coming to your property than what you have right now.

Ken Jeep:

One of my other issues is I'm not a fan of roundabouts. I think a lot of people in the area are not. So I'll just put my complaint in for that. I think that intersection is far too busy, too much traffic to accommodate a roundabout safely. So that's my comment on that. And you guys will do what you want I'm sure.

Tom Terwall:

No, the State will dictate what we do there.

Ken Jeep:

I understand that it's mostly a State effort on that. And then my other concern is that as an immediately affected property owner frankly I think we should have been brought into this a little sooner. I propose that as we progress with the project that the immediate property owners be involved in terms of determining the plantings and that sort of thing and the landscaping. I know an awful lot can be done with plantings and landscaping to segregate my property from the parking lot and so on. But I really don't want peoples' headlights shining into my bedroom window at shift changes and so on. So I would recommend that the Board -- I propose that the Board form an affected property owner's committee to participate in that.

I had something else and I'm not exactly sure what it was. I'm sorry. Oh, again, going back to my first statement I applaud the Board and the Village for doing this. One of my biggest fears as an affected property owner is that we might have had a 7-Eleven or a gas station or something on that property because it's been sitting there vacant for many years. I mean if you talk about property values I think that would certainly affect our property values in a negative fashion. So I look at this as an improvement. It may start a civil war in my home, I don't think my wife does. But I think it is an improvement. Again, I moved in here to the Village many years and I appreciate the Village life. But, hey, it's changing and we're modernizing so I'm willing to go along with that, too.

Tom Terwall:

Thank you. Anybody else wishing to speak? Anybody else? Comments or questions from Commissioners and staff?

Wayne Koessl:

Through the Chair to Mike. To his comment about the headlights is there any thought of putting a berm on the west side of 38th Avenue there for those two houses or no? Or you have other grading plans that will solve that?

Mike Pollocoff:

Well, that's what this process is as far as getting people to come to this meeting. And we'll have some more meetings to talk about what they want. We can show the landscaping plan. For Mr. Jeep's property we've intentionally left, you can kind of see it on the --

Wayne Koessl:

I think as she brings up that colored concept plan for 4914 it would show it better.

Mike Pollocoff:

This is existing trees and brush and what have you that we're leaving all along this site here. And then we're putting some additional trees in there for a visual buffer. And then to the south on 38th Avenue to put in additional trees to the south that would have to be on Mr. Jeep's property. We didn't want to take additional right of way from his property to do any landscaping such as that. Right now there's still cars coming in from 39th down to the parking lot. But we could take a look at what could be done for some landscaping. But I think a berm would really go too far into his property.

Wayne Koessl:

That's what it looks like here, too, Mike on my print.

Ken Jeep:

Again, Ken Jeep, 9923 38th Avenue, Pleasant Prairie. The plantings there now are not plantings. They're invasive buckthorns, that's 99 percent. And that's the other battle I've been fighting. Every spring I'm out there cutting down buckthorns and they come back as quickly as they come down. So most of that is on the Village's property. I've been cutting it back up to my property line, but that's not a desirable situation.

Mike Pollocoff:

They're not the greatest. We're aware of that. But it was our thought if it's to screen the properties for the people who live on 37th leave that up and do additional plantings where necessary.

Tom Terwall:

If there's nothing further then we're ready for some motions. We need a motion to send a favorable recommendation to the Village Board to approve the conceptual plan.

Wayne Koessl:

I would so move, Chairman.

John Braig:

Second.

Tom Terwall:

**MOTION BY WAYNE KOESSL AND A SECOND BY JOHN BRAIG TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE MASTER CONCEPTUAL 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. Then a motion to send a favorable recommendation to the Village Board to approve the zoning text and a zoning map amendment.

Michael Serpe:

So moved.

Jim Bandura:

Second.

Tom Terwall:

**MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING TEXT AND ZONING MAP AMENDMENT SUBJECT TO THE TERMS AND THE CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

And finally a motion to approve the site and operational plans for the relocation of the fire department.

Wayne Koessl:

So moved, Chairman.

Jim Bandura:

Second.

Tom Terwall:

**MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO APPROVE 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?

Michael Serpe:

Tom, could I make a comment on this?

Tom Terwall:

Yes.

Michael Serpe:

I have to give the staff and Mike and the engineers a lot of credit. They've identified the need for a new fire station that we've been in need for a long time. They've taken into consideration of the needs in the voting in the area by creating another precinct downstairs when this is complete. They've taken into consideration about the hazardous intersection we have up on here. I agree with you on roundabouts until I started using them. Now I kind of like them, but that's a matter of preference. Anyway, the severe accidents we had in this corner will no longer exist. We might have some scraping fenders. They take into consideration the neighbors to a great deal with the amount of setbacks they've included to be less invasive on the neighbors when the trucks take off. So this is really well thought. And I know there's always concern with change, but I

don't think your value of your property is going to change much when you see this project completed. I think it will improve significantly. So I'm glad to see this is happening. It's timely.

John Braig:

I was going to make a comment in the same vain. I'm really pleased and proud of the Village to bite the bullet, put together a comprehensive plan. And I think the finished project is going to be something we're going to be proud of. And I think the neighborhood will recognize it as such. With that I move adjournment.

Wayne Koessl:

Before we adjourn, Mr. Chairman, this is a response to the Goldbergs. Maybe they should take the time to sit down with the Village engineer and staff and look at how that's going to affect their property past 38th Avenue. And it would be a good plan. On my drawing here I think it's going to enhance it.

Mike Pollocoff:

Mike will be meeting with them after the meeting if they have time.

Wayne Koessl:

And then one other question, Mike, and if you rule me out of order you can. But I know we're doing studies on the north two lanes of 165. Is that progressing any or can you not say at this time?

Mike Pollocoff:

Yeah. Right now the Village requested that -- the traffic is picking up on 165 as it is today. And Wayne and a lot of you guys that were here when Q was built as it was then there was a provision for another two lanes to be put on it. And right now the DOT is looking at I believe 2016 for adding the two lanes and putting the next bridge in. So that would make it a divided four lane all the way between Highway 31 and --

Wayne Koessl:

The reason [inaudible] with the increase of the Meijer traffic and the other plans we had tonight I think 165 needs the four lanes. That was a mistake we made.

Tom Terwall:

We were lucky to get that. Is Les Aspin hadn't been named Secretary of Defense that road still wouldn't be there because the Army Corps of Engineers was the biggest thorn in our side until it came under his control. We certainly get any help from our senators at the time.

**7. ADJOURN.**



Tom Terwall:

A motion to adjourn is in order.

John Braig:

So moved.

Michael Serpe:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed?

**Meeting Adjourned: 7:47 p.m.**

- A. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS** for the request of John Oswald on behalf of Wisconsin Electric Power Company to install a new ladder track on the west side of the Pleasant Prairie Power Plant to allow a location to perform repairs of railcars on We Energies property, which will reduce the number of rail cars that otherwise would have been removed from and returned to the property to be repaired at a local repair shop. The total lineal footage of new rail is expected to be approximately 2,500 feet. In addition, approximately 6 switches will be installed, plus the necessary stone ballast for rail support. A stone or concrete working pad will also be installed to aid the workers in performing rail car repairs.

**Recommendation:**

Village staff recommends that the Plan Commission approve the **Conditional Use Permit and Site and Operational Plans** subject to the attached comments and conditions of the Village Staff Report of June 9, 2014.

## VILLAGE STAFF REPORT OF JUNE 9, 2014

### **CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS**

for the request of John Oswald on behalf of Wisconsin Electric Power Company to install a new ladder track on the west side of the Pleasant Prairie Power Plant to allow a location to perform repairs of railcars on We Energies property, which will reduce the number of rail cars that otherwise would have been removed from and returned to the property to be repaired at a local repair shop. The total lineal footage of new rail is expected to be approximately 2,500 feet. In addition, approximately 6 switches will be installed, plus the necessary stone ballast for rail support. A stone or concrete working pad will also be installed to aid the workers in performing rail car repairs.

### **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 as presented and described below:*

### **Findings of Fact**

1. The petitioner is requesting approval of a Conditional Use Permit, including Site and Operational Plans to install a new ladder track at the Pleasant Prairie Power Plant. The track is being installed to offer a location to perform repairs of railcars on the property in Pleasant Prairie. This will reduce the number of rail cars that otherwise would have been removed from and returned to the property to be repaired at a local repair shop. The total lineal footage of new rail is expected to be approximately 2,500'. In addition, approximately six (6) switches will be installed, plus the necessary stone ballast for rail support. A stone or concrete working pad will also be installed to aid the workers in performing rail car repairs. (See **Exhibit 1** for the Application and related materials.)
2. The subject property is located at 8000 95<sup>th</sup> Street in a part of U.S. Public Land Survey Section 16, Township 1 North, Range 22 East in the Village of Pleasant Prairie and is further identified as Tax Parcel Number 92-4-122-164-0011.
3. The current zoning of the property is M-4, Power Generating District and the operation and maintenance of an electrical generation power plant is allowed within the M-4 District with a Conditional Use Permit(s) for each project. In addition, portions of the property are zoned C-1, Lowland Resource Conservancy District and FPO, Floodplain Overlay District.
4. Pursuant to the application, the rail cars being repaired on this track will be moved by existing company employees to the repair location. The repair work will be completed and the cars will be moved back to be used in a train. The operations performed by We Energies employees will not be changing on the property. A rail car maintenance company (typically 2 people at a time) will be on the property to repair the cars.
5. These repairs have been performed off-site in the past. The cars needing repair were sent via the Union Pacific railroad to a local repair shop in Cudahy, Wisconsin. The movement of cars off of our property and again back onto the property for repairs will be significantly reduced, thereby lessening rail traffic in the area, by performing these repairs on the property.
6. The plans indicate that the wetlands in this area were evaluated by GAI Consultants Inc. on October 29, 2010, November 9, 2010 and April 4, 2011. A copy of the wetland report and a concurrence letter from either the DNR or the ACOE shall be submitted prior to issuance of permits.

7. The project will impact wetlands on the site; however the wetland impacts have been minimized through optimization of the layout and design. The three (3) wetland areas proposed to be filled for this project total 8,856 square feet. Proper fill permits from the DNR and ACOE shall be submitted prior to issuance of the required Village Permits to begin construction on the project.
8. Upon completion of the project, after the wetlands are filled, a survey with legal descriptions of the wetlands that are remaining shall be submitted with the required applications/fees to correct the zoning map and comprehensive land use plan to reflect the location of the wetlands.
9. The plans also show impacts to the 100-year floodplain. Approximately 133 cubic feet is proposed to be filled and 160 cubic feet is proposed to be created as the required compensation. An application shall be submitted to the Village for the proposed floodplain boundary adjustment. A conditional approval from FEMA will be required prior to filling of the 100-year floodplain pursuant to Section 420-131 of the Village Zoning Ordinance.
10. Construction at the site is scheduled to begin in the middle of November, 2014 and is expected to take up to 2 months to complete.
11. Notices were sent to adjacent property owners via regular mail on May 22, 2014 and notices were published in the Kenosha News on May 26 and June 2, 2014.
12. The petitioner was emailed a copy of this staff report on June 6, 2014.
13. According to the Article XVIII of the Village General 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 all Village Ordinance and meets the minimum standards for granting of a Conditional Use Permit. Furthermore, the Plan Commission shall not approve any Site and Operational Plan application without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements and all other applicable Federal, State or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, noise, storm water management, streets and highways and fire protection.

**Village Staff Conclusions and Recommendation: (to be read out loud)**

***The Village staff has determined that based upon the foregoing information presented in the application and related materials provided and the public hearing this evening, that the proposed project, meets the following standards for granting a Conditional Use Permit in that:***

- a. The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- b. The project does not impair an adequate supply of light and air to the adjacent properties.
- c. The project does not increase danger of fire.
- d. The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.

- e. There are no existing identified hazards, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use.
- f. The proposed and applied for use on this particular parcel is not inherently inconsistent with the Districts in which it is located or the adjoining zoning districts and land uses.

**Based on the foregoing information and the comments received during the public hearing, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for the granting of a Conditional Use Permit, including Site and Operational Plans, as specified above, then approval of the Conditional Use Permit shall be approved subject to the following conditions:**

1. The plans have been reviewed for conformance with generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all state and local codes, ordinances, and procedures. Modifications to the plans, etc. may be required should errors or changed conditions be found at a future date. **The following revisions shall be made to the plans and two (2) revised plans shall be submitted for Village staff review and approval:**
  - a. The storm sewer south of MH 2 is indicated as a 15-inch diameter pipe; however, the upstream culverts that are being connected are noted as a 24-inch and 15-inch. The design engineer shall verify that the proposed storm sewer size is adequate.
  - b. A cross-section of the retention pond shall be provided on the plans. The cross-section shall indicate liner requirements, safety shelf, etc. Also, provide a detail of the emergency overflow spillway. Has soil borings been done to determine existing soil types and ground water elevation at the pond site?
  - c. Place rip-rap at storm sewer discharge locations and provide a typical detail.
2. Compliance with the **attached** Village Fire & Rescue Department's comments dated May 19, 2014. **Pursuant to condition #2 a letter shall be submitted to the Fire & Rescue Department prior to obtaining building permits stating that the project will comply with all requirements of this memo. A copy of this letter shall also be provided to the Community Development Department.**
3. **The petitioner shall provide the name and title of the authorized representative for the property owner who will be required to execute the Conditional Use Grant document for the Village to prepare said document.** The Conditional Use Permit shall be executed prior to issuance of any required permits. The petitioner is responsible to pay the required recording and filing fees for Conditional Use Grant document to be recorded at the Kenosha County Register of Deeds Office.
4. The following shall be submitted prior to issuance of the required erosion control permit for this project:
  - a. A copy of the wetland report and a concurrence letter from either the DNR or the ACOE related to the wetland stakings by GAI Consultants Inc. on October 29, 2010, November 9, 2010 and April 4, 2011.
  - b. A copy of the wetland fill permits from the DNR and ACOE.

- c. A conditional approval from FEMA will be required prior to filling of the 100-year floodplain pursuant to Section 420-131 of the Village Zoning Ordinance. (This approval cannot be obtained from FEMA without Village and DNR approval.)
  - d. An Erosion Control Permit application and two sets and approved Site and Operational Plans. [Note: The required \$2,000 street sweeping cash deposit shall be deposited with the Village. The street sweeping cash deposit is refundable, less 6% for administrative processing upon issuance of a Certificate of Compliance for the entire project, if the amount is not drawn upon by the Village in maintaining the adjacent roadways free from dirt, mud clumps and mud tracking during the construction process. Silt fence shall be installed and inspected prior to any work starting.].
  - e. A pdf copy of the approved Site and Operational Plans.
  - f. A copy of the Wisconsin Department of Natural Resources N.O.I.
  - g. The required compliance letter referred to above in condition #2.
  - h. Due to restricted access to the WE Energies P4 property, WE Energies shall provide the Village contractor's business name, contact name, telephone number and shall guarantee that someone will meet the Village inspector at a designated P4 gate for immediate access at a designated time for each Village inspection.
5. **Prior to work commencing on the site, all required permits shall be issued. All required erosion control measures, shall be in place on the site prior to construction start. Also, a pre-construction meeting, which includes contractors, architect and engineers, shall be scheduled (contact the CD Department–Jean Werbie-Harris at 262-925-6717 for available dates) and held at the Village Offices. The preconstruction meeting shall be moderated and minutes shall be taken by the Design Engineer of record. Minutes shall be distributed within 7 days. A sample agenda can be provided by the Village CD Department (Jean Werbie-Harris).**
6. **Upon completion of the project the following shall be submitted to the Village Community and the Engineering Departments**
- a. **As-built graphical data of all storm sewer facilities shall be provided to update the Village's Geographical Information System. Information shall conform to the Village's format requirements.**
  - b. **An as-built of the retention pond shall be provided. Also, an as-built and certification of the compensatory floodplain adjustment shall be provided, upon completion of the project.**
  - c. **A record drawing of the utility plans will be required to reflect actual construction records and utility alignments. Record drawing(s) of all the storm water management facilities shall be prepared by the Engineer of Record for the project.**
7. **Upon completion of the project, after the wetlands are filled a survey with legal descriptions of the wetlands that remain shall be submitted with the required applications to correct the zoning map and comprehensive land use plan to reflect the location of the wetlands.**
8. Continued compliance with all previously approved Conditional Use Permits associated with this property.

9. The hours of construction activity, operating heavy machinery or equipment associated with the grading, erosion control device installation, and overall site development shall be limited to Monday through Friday from 7:00 a.m. to 10:00 p.m. and Saturday and Sunday from 8:00 a.m. to 9:00 p.m.
10. There shall be no construction parking permitted on 95<sup>th</sup> Street or any other public street. On-site (off-street) parking shall be designed to accommodate all construction related workers and site visitors.
11. The Village shall approve of the location of all construction trailers parked on the site during construction activities. No construction trailers shall be parked in any rights-of-way or block any on-site fire lanes. All construction related signage shall be approved and permitted by the Village.
12. The project shall comply with the Site and Operational Plan requirements pursuant to Article IX of the Village Zoning Ordinance.
13. The use, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved site and operational plan, any required conditional use permit and zoning ordinance performance standards, any required license and all other applicable provisions of this chapter and of all other Village ordinances and codes.
14. The use, site, building and structure shall comply with all applicable performance standards set forth in § 420-38 of the Village Zoning Ordinance.
15. The site, buildings and structures shall be maintained in a neat, presentable, aesthetically pleasing, structurally sound and nonhazardous condition. All litter and debris shall be promptly removed.
16. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
17. All plans and the proposed and applied for use shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
18. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
19. This Conditional Use Grant shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
20. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance. Construction and operation of the uses granted shall be in strict conformity to the approved plans and operational standards filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the Conditional Use Permit(s) or zoning violation prosecution, or both.



## VILLAGE STAFF MEMORANDUM

TO: Jean Werbie-Harris, Community Development Director  
FROM: Doug McElmury, Chief Fire & Rescue Department  
CC: Deputy Chief, Craig Roepke  
Lt. Thomas Clark, Fire & Rescue Department  
Peggy Herrick, Assistant Planner, Community Development  
SUBJECT: Review of the Site and Operational Plan P-4 Ladder Track Project  
DATE: 19 May 2014

This is a review of the Site and Operational Plan for the proposed P-4 Ladder Track Project. This will be a developed area of the WE Energies property to perform repairs to railcars. There are no proposed buildings for this project.

The Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually. The concerns of the Fire and Rescue Department are as follows:

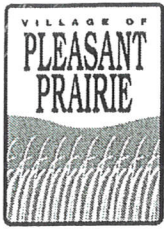
1. **Distribution of Comments:** *the person who obtains the building permit to all Contractors and Subcontractors affected by this document shall distribute Copies of these comments. This document outlines critical times and deadlines. All recipients of this document need to become familiar with the contents.*
2. **Compliance:** A letter shall be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within this document.
3. In the event a conflict in code(s) is identified, or a conflict with the insurance carrier criteria occurs, the more stringent shall apply. In the event this conflicts with any codes adopted by the State of Wisconsin, the owner must petition the State directly for a variance. The Owner must demonstrate that they will provide materials or design equivalent to the code or that they will exceed the code when petitioning the State and or Village when applicable.

Upon review of the plans submitted, we have the following concerns:

- The drive must be able to support the weight of Pleasant Prairie Fire and Rescue apparatus and continually maintained to provide access for an emergency response.







RECEIVED  
MAY 9 - 2014  
Village of Pleasant Prairie

Exhibit 1

VILLAGE OF PLEASANT PRAIRIE  
SITE AND OPERATIONAL PLAN  
AND CONDITIONAL USE PERMIT ZONING APPLICATION

USE THIS FORM FOR:  
Tenants/Use changes proposing to occupy  
50% or more of an existing  
commercial/industrial building.

To construct a new or addition to principal  
or accessory structure.

Use requires a Conditional Use Permit.

FOR OFFICE USE ONLY	
Application Filed on	5/9/14 20
Preliminary Determination of Completeness on:	5/14 2014
Revised Plans Submitted:	20
Public Hearing Required: Hearing Date:	5/9, 2014
Published on:	5/26 and 6/2, 2014
Notices sent on:	5/22, 2014
Approved by <input type="checkbox"/> Plan Commission on	20
<input type="checkbox"/> Zoning Administrator on	20
Denied by <input type="checkbox"/> Plan Commission on	20
<input type="checkbox"/> Zoning Administrator on	20

SECTION 1: GENERAL INFORMATION

NAME OF BUSINESS: Wisconsin Electric Power Company - Pleasant Prairie Power Plant

SITE ADDRESS: 8000 95th ST.

BRIEF PROJECT DESCRIPTION: See Attached

PROPOSED NUMBER OF FULL TIME EMPLOYEES: 0

PROPOSED NUMBER OF PART-TIME EMPLOYEES: 2

SITE SIZE: 403.29 sq. ft. acres

PROPOSED BUILDING SIZE: N/A sq.ft. HEIGHT: N/A ft.

PROPOSED ADDITION SIZE: N/A sq.ft. HEIGHT: N/A ft.

LEGAL DESCRIPTION:

TAX PARCEL NUMBER(S): 92-4-122-164-0011

CURRENT ZONING CLASSIFICATION(S) OF THE PROPERTY: M-4, C-1, FPO

1. Is a zoning map amendment proposed with this project?  Yes  No

▪ If yes, proposed Zoning Classification(s):

2. Is a zoning text amendment proposed with this project?  Yes  No

▪ If yes, provide a copy of the proposed text amendment with this application

3. If property is zoned M-1 or M-2, indicate the Occupancy Type pursuant to the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC). Include all that apply and associated square footage for each classification:

- Factory Group F-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Factory Group F-2 (Low-hazard) \_\_\_\_\_ sq ft
- Storage Group S-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Storage Group S-2 (Low-hazard) \_\_\_\_\_ sq ft
- Business Group B \_\_\_\_\_ sq ft
- High-Hazard Group H\* \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft

*\*If Use and Occupancy Classification is High-Hazard Group H please provide a detailed written narrative that explains the specific use, quantity of storage and handling of the high hazard materials along with appropriate MSSD sheets with this application.*

**PUBLIC SERVICES:**

1. Is the property serviced by Public Sanitary Sewer?  YES  NO
  - If no, the closest public sewer is located at \_\_\_\_\_
2. Is the property serviced by Public Water?  YES  NO
  - If no, the closest public water is located at \_\_\_\_\_
3. Maximum number of gallons/minute of water expected to be used per day is: No Additional water usage

**THIS APPLICATION IS FOR A: (check one)**

- Preliminary Site and Operational Plan:** An applicant may apply for preliminary site and operational plan approval in connection with an erosion control permit application for early mass grading, or in connection with an early foundation permit, or for other good cause shown
- New Site and Operational Plan**
- Amendment to an existing Site and Operational Plan**
  - Date of initial site and operational plan approval: July 6, 1976
  - Date of each approved amendment: \_\_\_\_\_

**SECTION 2: EXISTING USES AND BUILDINGS ON THE SITE**

Are there any existing buildings on the site?  YES  NO

- If yes, provide an attachment that explains the current uses on the property and current uses in each building and if the use(s) is proposed to continue; and the gross floor area and height of each building. See attached
- If no, what is the current use of the property? \_\_\_\_\_

**SECTION 3: PHOTOGRAPHS**

**Standard-sized photographs** (not Polaroid) showing all aspects of the site (e.g. locations of proposed improvements, bodies of navigable water, wetlands, wooded areas, etc.) and of the exterior of structures or other site improvements, together with a statement regarding each photograph, which includes the date the photograph was taken, the location from which it was taken, the direction in which the camera was pointed, and a description of what is shown in the photograph. With respect to all existing signs, the applicant shall file photographs of all existing signs and shall specify in the written statement accompanying each such photograph and show the dimensions of such sign. Digital images are acceptable.

**SECTION 4: CONDITIONAL USE**

1. **Does the proposed project require a Conditional Use Permit?**  YES  NO
  - **If no** then skip to Section 5.
  - **If yes**, then continue with this Section.
  
2. **Are you amending an existing Conditional Use Permit?**  YES  NO
  - **If yes**, provide a copy of the Conditional Use Grant Document you are proposing to amend.
  - **If no**, continue with this Section.
  
3. If you answered **YES** to either question 1 or 2 above then this application shall include information as to how the proposed project will not impair an adequate supply of light and air to adjacent properties; increase danger of fire; cause traffic congestion or traffic circulation problems; create storm water flooding or drainage; create obnoxious odors, problems or otherwise endanger the public health, safety or welfare; will not hinder, harm or distract the provision of public services; and that the proposed project is not inherently inconsistent with either the district in which it is located or adjoining districts or neighborhoods as required pursuant to the Village Zoning Ordinance.

**SECTION 5: NON-CONFORMING USE**

1. **Is any use on the site a nonconforming use?**  YES  NO
  - **If no**, then skip to Section 7.
  - **If yes**, then continue with this section.
  
2. If you answered **YES** to question 1 above, prima facie proof of each element of legal nonconforming use status shall be submitted to the Village with this application (i.e. that the nonconforming use was legal in its inception, that the use was active and actual and not merely casual, occasional, incidental or accessory when it became nonconforming, that the use has been continuous with no gap of 12 or more consecutive months since it became nonconforming, that no building or structure housing the nonconforming use has been structurally repaired or altered to the extent of fifty (50) percent or more of its assessed value since the use became nonconforming, and that the use has not been changed in nature or physically extended or expanded since becoming nonconforming).

## SECTION 6: PERFORMANCE STANDARDS

Pursuant to the Village Zoning Ordinance, any application for a permit under this ordinance or any use subject to the regulations and standards set forth in the Village Zoning Ordinance shall be accompanied by a sworn statement by the owner of the subject property that said property and use will be operated in accordance with the performance standards set forth in Section 420-38 of the Village Ordinance. Continued compliance with the regulations and standards is required. Violations of such standards shall be remedied as required by the Village Zoning Ordinance.

No land or building in any district shall be operated in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, dirt or other form of air pollution; water pollution; electrical, radioactive or other disturbances; glare; or other substance, condition or element (referred to herein as "dangerous or objectionable elements") in such amount as to adversely affect the surrounding area or premises; provided that any use permitted by this ordinance may be undertaken and maintained if it conforms to the regulations of this subsection limiting dangerous and objectionable elements at the specified point or points of the determination of their existence.

The Village may require additional information be submitted to ensure that the Village Performance Standards are being met.

## SECTION 7: PLAN COMPONENTS

The application shall include a list of all documents, materials or information that are attached to and a part of the application form. Submit eight (8) full-sized and one (1) set reduced to 11" x 17" of all plans and other attachments shall be included as part of this application, except if a component has been waived or deferred in writing by the Village Zoning Administrator. **For specific details related to each of the required information and plans see the attachment entitled "Plan Components and Related Standards" in Section 420-57 of the Village Zoning Ordinance.**

- Application—Applicant, Site, Use, Project and Plan Information
- Application fee
- Operational plan
- Title sheet
- Survey
- Site plan
- Grading and drainage plan
- Building and fire protection plans *N/A*
- Lighting plan *N/A*
- Landscape and open space plan *N/A*
- Signage plan *N/A*
- Industrial/commercial waste survey *N/A*
- Performance standards compliance
- Additional requirements, as determined by the Village Zoning Administrator, other appropriate Village staff members, or the Village Plan Commission, as appropriate.

Two or more plans may be combined, provided that all of the information submitted on the combined plan is clearly legible, but in no case shall the combined plans fail to show any of the information required for each individual plan as described below, unless such information is waived or deferred pursuant to the Zoning Ordinance.

**SECTION 8: SIGNATURES**

I, (We), hereby certify that all the above statements and all attachments submitted herewith are true and correct to the best of my knowledge. In addition I, (we) understand the requirements and procedures for Site and Operational Plan/Conditional Use Permit approval.

**PROPERTY OWNER:**

Name: PATRICK A. STIFF  
(Please Print)  
Signature: *Patrick A. Stiff*  
Address: 231 W. Michigan St.  
Milwaukee Wis 53203  
(City) (State) (Zip)  
Phone: 414-221-2345  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Date 5/07/2014

**APPLICANT:**

Name: \_\_\_\_\_  
(Please Print)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
(City) (State) (Zip)  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Date: \_\_\_\_\_

Is the applicant the owner of the property?  YES  NO

If no, then either proof of the applicant's legal interest in the subject real property (e.g. accepted offer to purchase, lease, etc., which may be appropriately redacted to preserve confidential information) or written authorization signed by the owner for the applicant to act as the owner's agent in connection with the application shall be included with the application.

**DEVELOPER (if Applicable)**

Name: \_\_\_\_\_  
(Please Print)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
(City) (State) (Zip)  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Date \_\_\_\_\_

**USER OR OCCUPANT OF SITE:**

Name: \_\_\_\_\_  
(Please Print)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
(City) (State) (Zip)  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Date: \_\_\_\_\_

## **Project Description and Operational Plan**

New ladder track will be installed at the Pleasant Prairie Power Plant. The track is being installed to offer a location to perform repairs of railcars on We Energies property at Pleasant Prairie. This will reduce the number of rail cars that otherwise would have been removed from and returned to the property to be repaired at a local repair shop. The total lineal footage of new rail is expected to be approximately 2,500'. In addition, approximately 6 switches will be installed, plus the necessary stone ballast for rail support. A stone or concrete working pad will also be installed to aid the workers in performing rail car repairs. Wetland impacts will be minimized through optimization of the layout and design. Local and state permits will be in place for this work. Construction at the site is scheduled to begin in the middle of November, 2013 and is expected to take up to 2 months to complete.

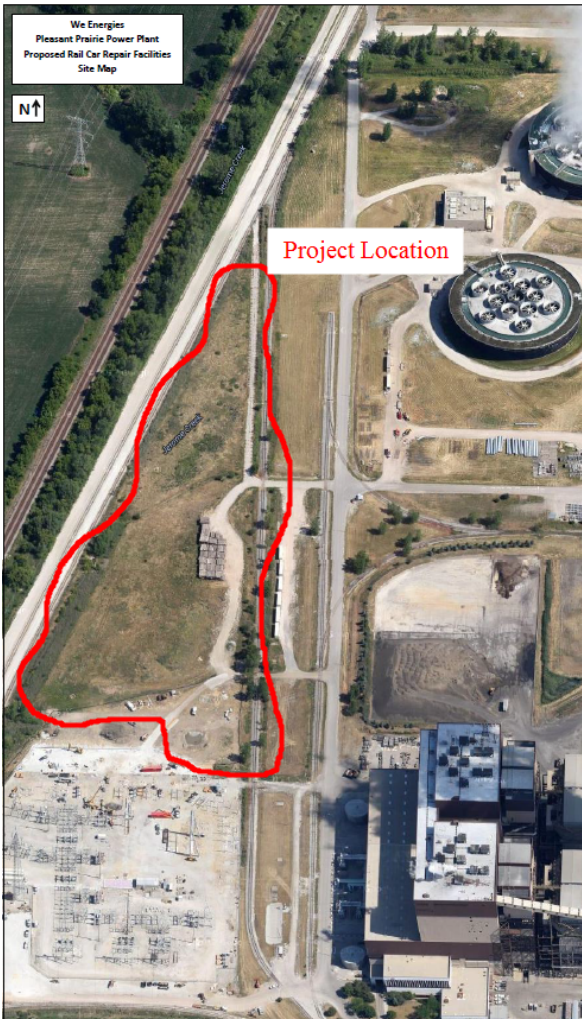
The rail cars being repaired on this track will be moved by existing company employees to the repair location. The repair work will be completed and the cars will be moved back to be used in a train. The operations performed by We Energies employees will not be changing on our property. A rail car maintenance company (typically 2 people at a time) will be on our property to repair the cars. These repairs have been performed off of our property in the past. The cars needing repair were sent via the Union Pacific railroad to a local repair shop in Cudahy, Wisconsin. The movement of cars off of our property and again back onto our property for repairs will be significantly reduced, thereby lessening rail traffic in the area, by performing these repairs on our property.

### **Existing Uses and Buildings on the Site**

Buildings currently exist on the site of the Pleasant Prairie Power Plant located at 8000 95<sup>th</sup> St. in Pleasant Prairie. The buildings are used in the generation of electricity as well as in the support of the generation of electricity.

The buildings on the site will continue their existing usages.

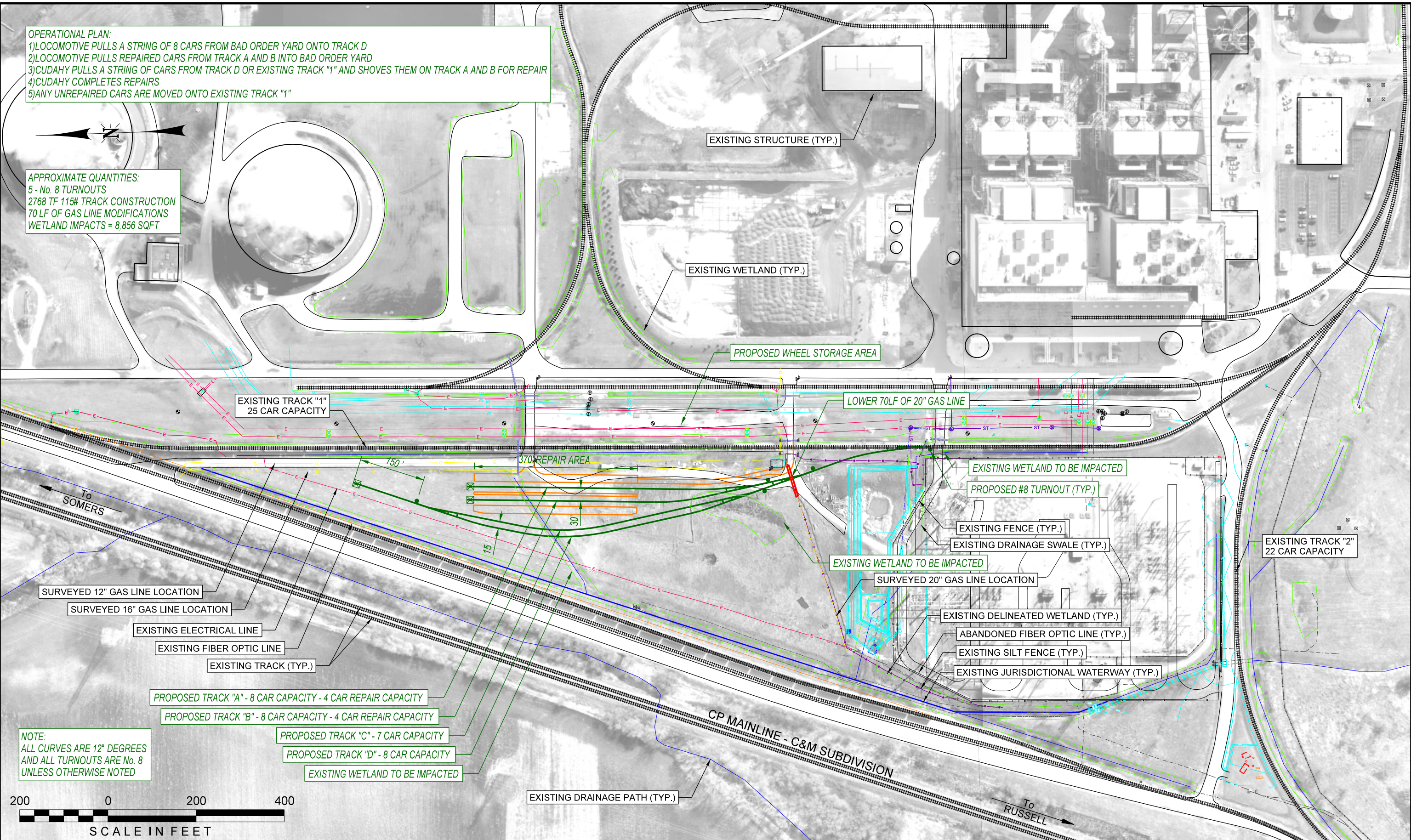
No new buildings are being added to the site with this project.





**OPERATIONAL PLAN:**  
 1) LOCOMOTIVE PULLS A STRING OF 8 CARS FROM BAD ORDER YARD ONTO TRACK D  
 2) LOCOMOTIVE PULLS REPAIRED CARS FROM TRACK A AND B INTO BAD ORDER YARD  
 3) CUDAHY PULLS A STRING OF CARS FROM TRACK D OR EXISTING TRACK "1" AND SHOVS THEM ON TRACK A AND B FOR REPAIR  
 4) CUDAHY COMPLETES REPAIRS  
 5) ANY UNREPAIRED CARS ARE MOVED ONTO EXISTING TRACK "1"

**APPROXIMATE QUANTITIES:**  
 5 - No. 8 TURNOUTS  
 2768 TF 115# TRACK CONSTRUCTION  
 70 LF OF GAS LINE MODIFICATIONS  
 WETLAND IMPACTS = 8,856 SQFT



**NOTE:**  
 ALL CURVES ARE 12° DEGREES  
 AND ALL TURNOUTS ARE No. 8  
 UNLESS OTHERWISE NOTED



REV.#	BY	DATE	REVISION DESCRIPTION

DESIGNED BY: JJC  
 DRAWN BY: JJC  
 APPROVED BY: BG  
 DATE ISSUED: 5/8/14

**LEGEND:**

	EXISTING TRACK
	PROPOSED INDUSTRY OWNED TRACK
	EXISTING DRAINAGE PATH
	EXISTING BUILDING

**- CONCEPTUAL -  
 FOR REVIEW/DISCUSSION**

**VIA RAIL**  
**LOGISTICS, LLC**  
 550 W34326 Ridgeway Drive  
 Dousman, Wisconsin 53118  
 phone: 414.405.7682  
 fax: 925.403.5334

**PROPOSED CAR REPAIR TRACKS  
 ALTERNATE  
 WE ENERGIES**  
 PLEASANT PRAIRIE, WI

**ISSUED FOR  
 REVIEW ONLY**

SHEET #  
**R-1**

SHEET  
 1 OF  
 1

4/8/2014 4:08:13 PM HA\Projects\13ME02\_PleasantPrairie\13ME02\_1.dwg:SF.dgn

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC  
REVIEWED: AREA  
DESIGNED: KML  
DRAFTER: KML

# ENGINEERING IMPROVEMENT PLANS

FOR

# WE ENERGIES - LADDER TRACK INSTALLATION

## PLEASANT PRAIRIE, WI

PLANS PREPARED

FOR

### VIA RAIL

#### S50 W34326 RIDGEWAY DRIVE

#### DOUSMAN, WI 53118

(414) 405-7682

## INDEX OF SHEETS

1. COVER SHEET
2. MASTER DEVELOPMENT PLAN
3. GRADING & UTILITY PLAN
4. SOIL EROSION & SEDIMENT CONTROL PLAN
5. CONSTRUCTION STANDARDS
6. CONSTRUCTION STANDARDS

## EARTHWORK NOTES

1. WORK UNDER THIS SECTION SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:
  - A. CLEARING AND REMOVAL OF ALL UNDESIRABLE TREES AND OTHER VEGETATIVE GROWTH WITHIN THE CONSTRUCTION AREA. TREE REMOVAL SHALL BE AS DESIGNATED BY THE OWNER AND SHALL BE KEPT TO A MINIMUM. WHERE FEASIBLE, AND WHEN PERMITTED BY OWNER, TREES AND BRUSH REMOVED MAY BE BURIED ONSITE IN FUTURE YARD AND OPEN SPACE AREAS. IF ADEQUATE AND APPROPRIATE SPACE IS NOT AVAILABLE FOR ONSITE BURIAL, THE TREES AND BRUSH SHALL BE DISPOSED OF OFFSITE.
  - B. STRIPPING OF TOPSOIL FROM ALL RAILROAD, DRIVEWAY, PARKING AREA, RIGHT-OF-WAY, BUILDING PAD, AND OTHER DESIGNATED STRUCTURAL AREAS.
  - C. REMOVING UNSUITABLE MATERIALS AS SPECIFIED FROM ROADWAY, DRIVEWAY/PARKING, BUILDING PAD, AND OTHER DESIGNATED AREAS.
  - D. DEMOLITION AND REMOVAL OF EXISTING PAVEMENTS INCLUDING OFFSITE DISPOSAL OF SAME, AT A DUMP SITE AS SELECTED BY THE CONTRACTOR. ONSITE DISPOSAL MAY BE ALLOWED IF APPROVED BY THE OWNER.
  - E. CLAY CUT AND CLAY FILL WITH COMPACTION WITHIN ROADWAY, DRIVEWAY/PARKING, BUILDING PAD, AND OTHER DESIGNATED AREAS.
  - F. EXCAVATION AND GRADING OF THE OPEN SPACE AND/OR YARD AREAS PER PLAN INCLUDING DESIGNATED DETENTION BASIN GRADING, CONSTRUCTION OF BERMS, ETC.
  - G. PLACEMENT AND COMPACTION OF CLAY TO THE DESIGN SUBGRADE ELEVATIONS AS REQUIRED BY THE STANDARDS AND DETAILS ON THE CONSTRUCTION PLANS. THE CONTRACTOR WILL NOTE THAT THE ELEVATIONS SHOWN ON THE CONSTRUCTION PLANS ARE FINISHED GRADE ELEVATIONS AND THAT PAVEMENT AND/OR TOPSOIL REPLACEMENT THICKNESS MUST BE SUBTRACTED TO DETERMINE SUBGRADE ELEVATIONS.
  - H. PLACEMENT AND COMPACTION OF NON-STRUCTURAL FILLS.
  - I. IF REQUIRED, REMOVAL FROM SITE AND DISPOSAL OF ANY EXCESS OR UNSUITABLE MATERIAL UPON COMPLETION OF MASS GRADING.
  - J. MOVEMENT AND COMPACTION OF SPOIL MATERIAL FROM THE CONSTRUCTION OF UNDERGROUND UTILITIES.
  - K. SOIL EROSION CONTROL MEASURES IN ACCORDANCE WITH THE SOIL EROSION CONTROL SPECIFICATIONS INCLUDED WITHIN THE CONTRACT DOCUMENTS.
2. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE ALL MATERIAL QUANTITIES AND APPRISE HIMSELF OF ALL SITE CONDITIONS. THE CONTRACT PRICE SUBMITTED BY THE CONTRACTOR SHALL BE CONSIDERED AS LUMP SUM FOR THE COMPLETE PROJECT. NO CLAIMS FOR EXTRA WORK WILL BE RECOGNIZED UNLESS ORDERED IN WRITING BY THE OWNER.
3. PRIOR TO ONSET OF MASS GRADING OPERATIONS, THE EARTHWORK CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SOIL EROSION CONTROL SPECIFICATIONS. THE INITIAL ESTABLISHMENT OF EROSION CONTROL PROCEDURES AND THE PLACEMENT OF FILTER FENCING, ETC. TO PROTECT ADJACENT PROPERTY SHALL OCCUR BEFORE MASS GRADING BEGINS, AND IN ACCORDANCE WITH THE SOIL EROSION CONTROL CONSTRUCTION SCHEDULE.
4. THE GRADING OPERATIONS ARE TO BE CLOSELY SUPERVISED AND INSPECTED, PARTICULARLY DURING THE REMOVAL OF UNSUITABLE MATERIAL AND THE CONSTRUCTION OF EMBANKMENTS OR BUILDING PADS, BY THE SOILS ENGINEER OR HIS REPRESENTATIVE. ALL TESTING, INSPECTION AND SUPERVISION OF SOIL QUALITY, UNSUITABLE REMOVAL, REPLACEMENT, MODIFICATION AND OTHER SOILS RELATED OPERATIONS SHALL BE ENTIRELY THE RESPONSIBILITY OF THE SOILS ENGINEER.
5. A QUALIFIED SOILS ENGINEER SHALL REGULARLY INSPECT THE EXCAVATION OF ANY OPEN WATER AREAS TO INSURE THAT THEY WILL BE CAPABLE OF MAINTAINING DESIGNED NORMAL WATER LEVELS. GRAVEL OR SAND SEAMS OR OTHER CONDITIONS WHICH MAY BE ENCOUNTERED, AND WHICH MIGHT TEND TO DE-WATER THESE AREAS, SHALL BE REMEDIATED AS DIRECTED BY THE SOILS ENGINEER (FOR EXAMPLE, LINING, CLAY BLANKET, BENTONITE, ETC.).
6. THE GRADING AND CONSTRUCTION OF THE SITE IMPROVEMENTS SHALL NOT CAUSE PONDING OF STORMWATER. ALL AREAS ADJACENT TO THESE IMPROVEMENTS SHALL BE GRADED TO ALLOW POSITIVE DRAINAGE.
7. THE PROPOSED GRADING ELEVATIONS SHOWN ON THE PLANS ARE FINISHED SUBGRADE, IN AREAS OF RAIL CONSTRUCTION AND FINISHED GRADE IN AREAS OF OPEN SPACE.
8. THE SELECTED STRUCTURAL FILL MATERIAL SHALL BE PLACED IN LEVEL UNIFORM LAYERS SO THAT THE COMPACTED THICKNESS IS APPROXIMATELY SIX INCHES; IF COMPACTION EQUIPMENT DEMONSTRATES THE ABILITY TO COMPACT GREATER THICKNESS, THEN A GREATER THICKNESS MAY BE ALLOWED WITH APPROVAL FROM SOILS ENGINEER. EACH LAYER SHALL BE THOROUGHLY MIXED DURING SPREADING TO INSURE UNIFORMITY.
9. EMBANKMENT MATERIAL WITHIN RAILROAD, ROADWAY, PARKING AREAS, AND OTHER STRUCTURAL CLAY FILL AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY PERCENT (90%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-1557 (MODIFIED PROCTOR METHOD), OR TO SUCH OTHER DENSITY AS MAY BE DETERMINED APPROPRIATE BY THE SOILS ENGINEER. EMBANKMENT MATERIAL (RANDOM FILL) WITHIN NON-STRUCTURAL FILL AREAS SHALL BE COMPACTED TO A MINIMUM OF EIGHTY FIVE PERCENT (85%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-1557 (MODIFIED PROCTOR METHOD), OR TO SUCH OTHER DENSITY AS MAY BE DETERMINED APPROPRIATE BY THE SOILS ENGINEER.
10. THE SURFACE VEGETATION, TOPSOIL, AND ANY OBVIOUSLY SOFT UNDERLYING SOIL SHOULD BE STRIPPED FROM ALL AREAS TO RECEIVE CLAY FILL. IF THE UNDERLYING SUBGRADE SOILS RUT DEEPER THAN ONE INCH UNDER THE CONSTRUCTION EQUIPMENT OR IF THE MOISTURE CONTENT EXCEEDS THAT NEEDED FOR PROPER COMPACTION, THE SOIL SHALL BE SCARIFIED, DRIED AND RECOMPACTED TO THE REQUIRED SPECIFICATIONS (SEE SECTIONS 205 AND 301 OF THE I.D.O.T. SPECIFICATIONS).
11. PRIOR TO UTILITY CONSTRUCTION, PROPOSED PAVEMENT AREAS, BUILDING PADS, DRIVEWAYS AND SIDEWALKS, AND YARD/OPEN SPACE AREAS SHALL BE ROUGH EXCAVATED OR FILLED TO PLUS OR MINUS ONE FOOT OF DESIGN SUBGRADE ELEVATION BY THE CONTRACTOR.
12. COMPLETED GRADING FOR PROPOSED BUILDING PADS, AS WELL AS PROPOSED SUBGRADE AREAS FOR ROADWAY, PAVEMENT, DRIVEWAYS AND SIDEWALKS, AND OPEN SPACE AREAS SHALL BE WITHIN A TOLERANCE OF PLUS OR MINUS 0.1 FOOT OF DESIGN SUBGRADE ELEVATIONS.



### LOCATION MAP

SCALE: 1"=1000'

## CONTACTS

**PINNACLE ENGINEERING GROUP, LLC**  
 ADAM ARTZ, P.E.  
 15850 W. BLUEMOUND ROAD, SUITE 210  
 BROOKFIELD, WI 53005  
 (262) 754-8888

## BENCHMARKS

SEE PLANS BY VIA RAIL LOGISTICS, LLC

SEE PLANS BY VIA RAIL LOGISTICS, LLC FOR TRACK DESIGN AND CONSTRUCTION.

## GENERAL NOTES

1. ALL UTILITY COMPANIES SHALL BE CONTACTED AND THEIR FACILITIES SHALL BE LOCATED PRIOR TO ANY AN EASEMENT, RIGHT-OF-WAY, OR SUSPECTED UTILITY LOCATION. REPAIR OF ANY DAMAGE TO EXISTING FACILITIES SHALL BE RESPONSIBILITY OF THE CONTRACTOR. UTILITY LOCATIONS SHOWN HEREIN ARE FOR GRAPHIC ILLUSTRATION ONLY AND ARE NOT TO BE RELIED UPON.
2. PRIOR TO COMMENCEMENT OF ANY OFFSITE CONSTRUCTION, THE CONTRACTOR SHALL SECURE WRITTEN AUTHORIZATION THAT ALL OFFSITE EASEMENTS HAVE BEEN SECURED, AND THAT PERMISSION HAS BEEN GRANTED TO ENTER ONTO PRIVATE PROPERTY.
3. EXCEPT WHERE MODIFIED BY THE CONTRACT DOCUMENTS, ALL WORK PROPOSED HEREON SHALL BE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS (LATEST EDITION):
  - 3.A. VILLAGE OF PLEASANT PRAIRIE ORDINANCE
  - 3.B. "STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION" BY WISCONSIN DEPARTMENT OF TRANSPORTATION.
  - 3.C. "STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN".
  - 3.D. OTHER STANDARDS OR SPECIFICATIONS SPECIFICALLY REFERRED TO IN AN INDIVIDUAL PROVISION OF THESE STANDARDS AND SPECIFICATIONS.
  - 3.E. THE CONTRACT DOCUMENTS, GENERAL CONDITIONS, SPECIAL PROVISIONS AND SUPPLEMENTAL CONDITIONS OF THE PROJECT AS PREPARED BY PINNACLE ENGINEERING GROUP, LLC.
4. ALL DOCUMENTS CITED IN THE ABOVE STANDARDS AND SPECIFICATIONS RELEVANT TO THE SUBJECT UNDER CONSIDERATION, IF A CONFLICT ARISES BETWEEN ANY PROVISION(S) OF THE REFERENCE ITEMS ABOVE AND ANY PROVISION(S) OF THESE STANDARDS AND SPECIFICATIONS, THEN THE MORE RESTRICTIVE PROVISION(S) SHALL APPLY.

## EXISTING UTILITIES NOTE

"THE INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. EACH SUBCONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATIONS AS TO THE TYPE AND LOCATION OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. IF ADDITIONAL UTILITIES ARE KNOWN TO EXIST IN THE PROPERTY, THE OWNER WILL PROVIDE EXISTING PLANS OF OTHER UTILITIES SERVING THE SITE AND THE BUILDING THAT OTHERWISE CANNOT BE LOCATED BY A VISUAL OBSERVATION OF THE PROPERTY OR OF WHICH THE SURVEYOR WOULD HAVE NO KNOWLEDGE."

## FOR REVIEW



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

EXPIRATION DATE: JULY 31, 2015

### PINNACLE ENGINEERING GROUP, LLC ENGINEER'S LIMITATION

PINNACLE ENGINEERING GROUP, LLC AND THEIR CONSULTANTS DO NOT WARRANT OR GUARANTEE THE ACCURACY AND COMPLETENESS OF THE DELIVERABLES HEREIN BEYOND A REASONABLE DILIGENCE. IF ANY MISTAKES, OMISSIONS, OR DISCREPANCIES ARE FOUND TO EXIST WITHIN THE DELIVERABLES, THE ENGINEER SHALL BE PROMPTLY NOTIFIED PRIOR TO BID SO THAT HE MAY HAVE THE OPPORTUNITY TO TAKE WHATEVER STEPS NECESSARY TO RESOLVE THEM. FAILURE TO PROMPTLY NOTIFY THE ENGINEER OF SUCH CONDITIONS SHALL ABSOLVE THE ENGINEER FROM ANY RESPONSIBILITY FOR THE CONSEQUENCES OF SUCH FAILURE. ACTIONS TAKEN WITHOUT THE KNOWLEDGE AND CONSENT TO THE ENGINEER, OR IN CONTRADICTION TO THE ENGINEER'S DELIVERABLES OR RECOMMENDATIONS, SHALL BECOME THE RESPONSIBILITY NOT OF THE ENGINEER BUT OF THE PARTIES RESPONSIBLE FOR TAKING SUCH ACTION.

FURTHERMORE, PINNACLE ENGINEERING GROUP, LLC IS NOT RESPONSIBLE FOR CONSTRUCTION SAFETY OR THE MEANS AND METHODS OF CONSTRUCTION.

## LEGEND

	EXISTING	PROPOSED
SANITARY MANHOLE	⊙	⊙
STORM MANHOLE	⊙	⊙
CATCH BASIN	○	●
INLET	□	■
PRECAST FLARED END SECTION	△	▲
CONCRETE HEADWALL	∩	∩
VALVE VAULT	⊗	⊗
VALVE BOX	■	■
FIRE HYDRANT	⊙	⊙
BUFFALO BOX	⊙	⊙
CLEANOUT	⊙	⊙
SANITARY SEWER	—	—
FORCE MAIN	—	—
STORM SEWER	—	—
WATER MAIN	—	—
UTILITY CROSSING	—	—
GRANULAR TRENCH BACKFILL	—	—
LIGHTING	—	—
ELECTRICAL CABLE	—	—
ELECTRICAL TRANSFORMER OR PEDESTAL	—	—
POWER POLE	—	—
POWER POLE WITH LIGHT	—	—
GUY WIRE	—	—
STREET SIGN	—	—
GAS MAIN	—	—
TELEPHONE LINE	—	—
CONTOUR	—	—
SPOT ELEVATION	—	—
WETLANDS	—	—
FLOODWAY	—	—
FLOODPLAIN	—	—
HIGH WATER LEVEL (HWL)	—	—
NORMAL WATER LEVEL (NWL)	—	—
DIRECTION OF SURFACE FLOW	—	—
DITCH OR SWALE	—	—
DIVERSION SWALE	—	—
OVERFLOW RELIEF ROUTING	—	—
TREE WITH TRUNK SIZE	—	—
SOIL BORING	—	—
TOPSOIL PROBE	—	—
FENCE LINE, TEMPORARY SILT	—	—
FENCE LINE, WIRE	—	—
FENCE LINE, CHAIN LINK OR IRON	—	—
FENCE LINE, WOOD OR PLASTIC	—	—
CONCRETE SIDEWALK	—	—
CURB AND GUTTER	—	—
DEPRESSED CURB	—	—
REVERSE PITCH CURB & GUTTER	—	—
EASEMENT LINE	—	—
PROPERTY LINE	—	—

## ABBREVIATIONS

BL	BASE LINE	NWL	NORMAL WATER LEVEL
C	LONG CHORD OF CURVE	PC	POINT OF CURVATURE
C & G	CURB AND GUTTER	PT	POINT OF TANGENCY
CB	CATCH BASIN	PVI	POINT OF VERTICAL INTERSECTION
CL	CENTERLINE	R	RADIUS
D	DEGREE OF CURVE	ROW	RIGHT-OF-WAY
EP	EDGE OF PAVEMENT	SAN	SANITARY SEWER
FF	FINISHED FLOOR	ST	STORM SEWER
FG	FINISHED GRADE	T	TANGENCY OF CURVE
FL	FLOW LINE	TB	TOP OF BANK
FP	FLOODPLAIN	TC	TOP OF CURB
FR	FRAME	TF	TOP OF FOUNDATION
FW	FLOODWAY	TP	TOP OF PIPE
HWL	HIGH WATER LEVEL	TS	TOP OF SIDEWALK
INV	INVERT	TW	TOP OF WALK
L	LENGTH OF CURVE	WM	WATER MAIN
MH	MANHOLE	Δ	INTERSECTION ANGLE

PLAN | DESIGN | DELIVER  
 www.pinnacle-engr.com



**PINNACLE ENGINEERING GROUP**  
 ENGINEERING | NATURAL RESOURCES | SURVEYING

MILWAUKEE OFFICE:  
 15850 W. BLUEMOUND RD., SUITE 210  
 BROOKFIELD, WI 53005  
 (262) 754-8888  
 MILWAUKEE | CHICAGO | NATIONWIDE

**WE ENERGIES**  
**LADDER TRACK INSTALLATION**  
 PLEASANT PRAIRIE, WI

## REVISIONS

NO.	DESCRIPTION	DATE
1	PER CLIENT	5-8-14

## COVER SHEET

PEB JOB No. 1488.00-XXI  
 AREA  
 PEG PM  
 START DATE 04/01/14  
 SCALE

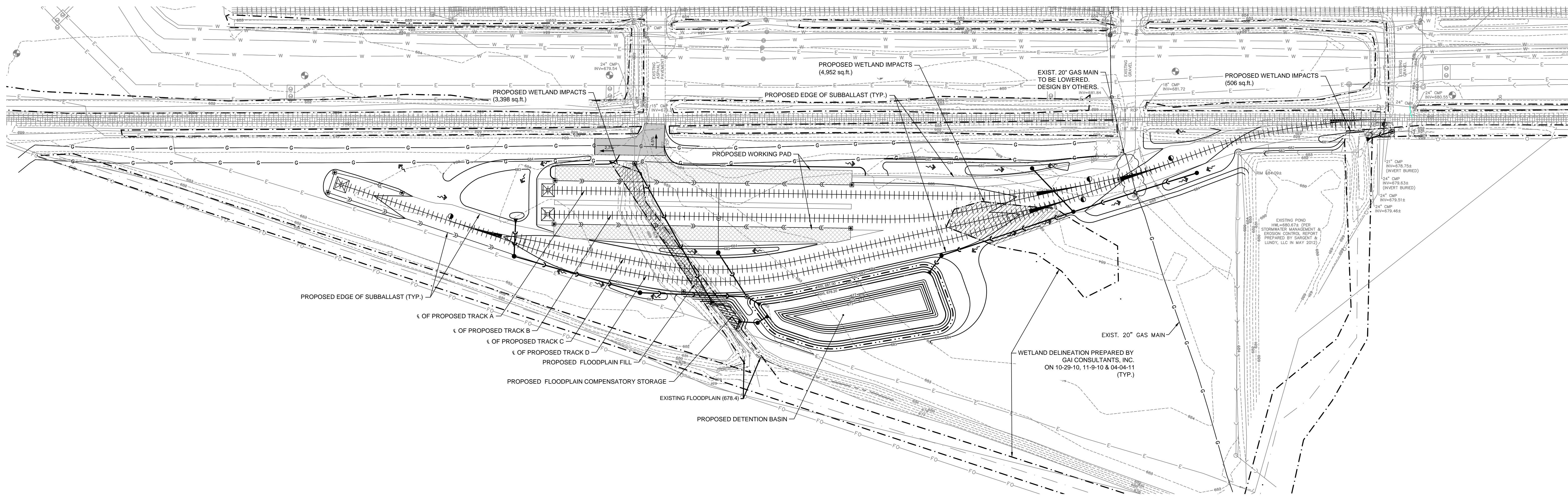
SHEET  
 1  
 9  
 6

www.pinnacle-engr.com

COVER SHEET

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DESIGNED: KML  
DRAFTED: KML  
REVIEWED: ARA

www.pinnacle-engr.com

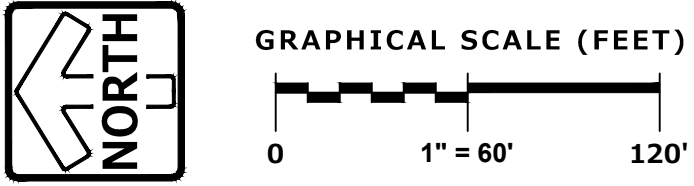


**LEGEND**

EXISTING	PROPOSED	STORM DRAINAGE STRUCTURE
○	●	PRECAST FLARED END SECTION
△	▶	CONTOUR
749	748	SPOT ELEVATION
x (750.00)	x 750.00	DIRECTION OF SURFACE FLOW
↖	↗	SURVEYED TREE
⊙	⊙	OVERFLOW RELIEF ROUTING
1/4"	1/4"	TYPICAL SLOPE

**SITE DATA**

TOTAL DISTURBED AREA:	3.824 ac.
WETLAND IMPACTS:	0.20 ac. (8,856 sq.ft.)
<b>FLOODPLAIN IMPACTS</b>	
FLOODPLAIN FILL	133 cu.ft.
FLOODPLAIN COMPENSATORY STORAGE	160 cu.ft.
<b>DETENTION BASIN</b>	
TRIBUTARY AREA:	3.824 ac.
IMPERVIOUS AREA:	2.316 ac.
PERVIOUS AREA:	1.221 ac.
WET BASIN AREA:	0.287 ac.



**PINNACLE ENGINEERING GROUP**  
ENGINEERING | NATURAL RESOURCES | SURVEYING

PLAN | DESIGN | DELIVER  
www.pinnacle-engr.com

MILWAUKEE OFFICE:  
15850 W. BLUEMOUND RD., SUITE 210  
BROOKFIELD, WI 53005  
(262) 754-8888

MILWAUKEE | CHICAGO | NATIONWIDE

**WE ENERGIES  
LADDER TRACK INSTALLATION  
PLEASANT PRAIRIE, WI**

**REVISIONS**

1	PER CLIENT	5-8-14		

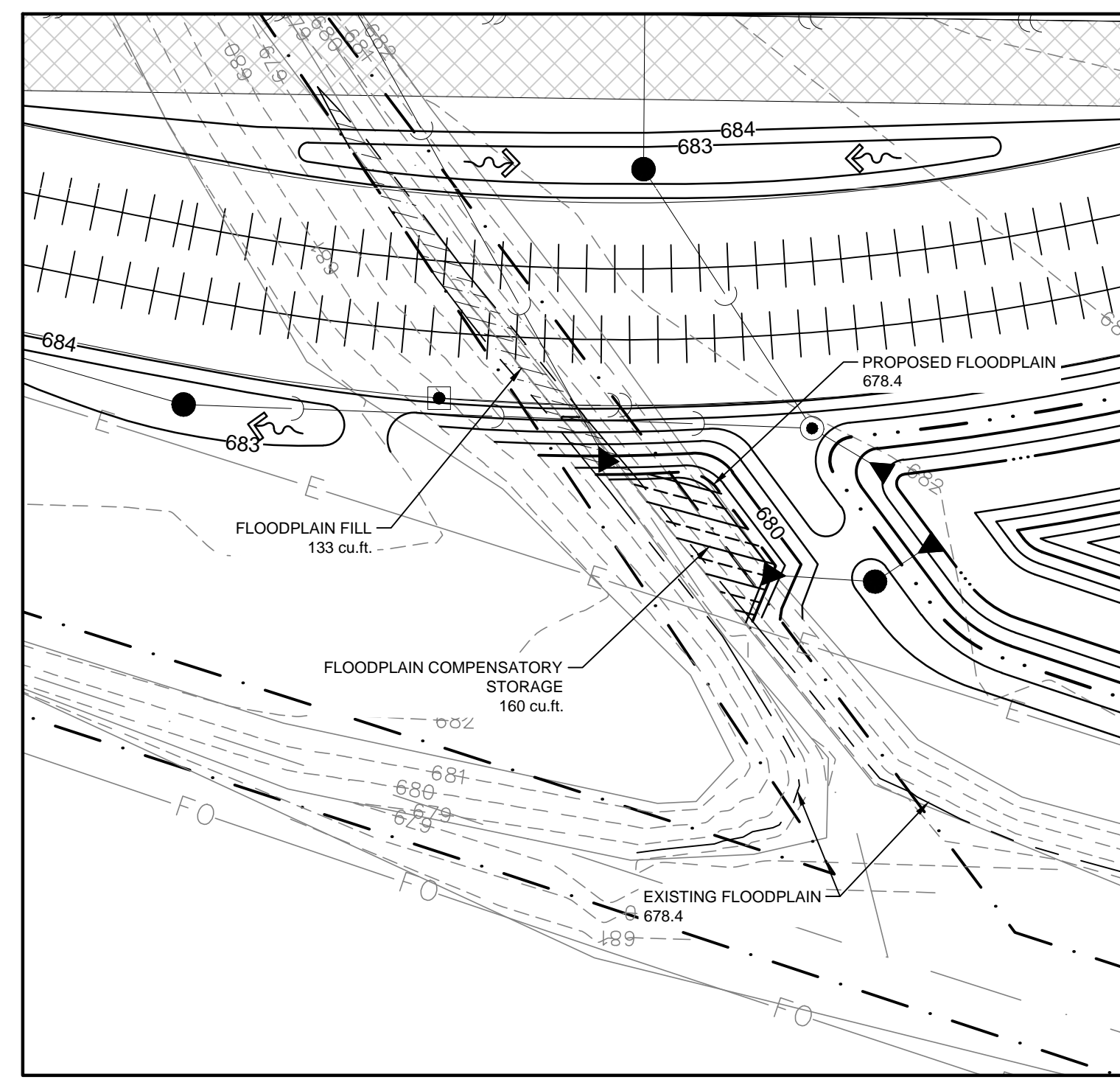
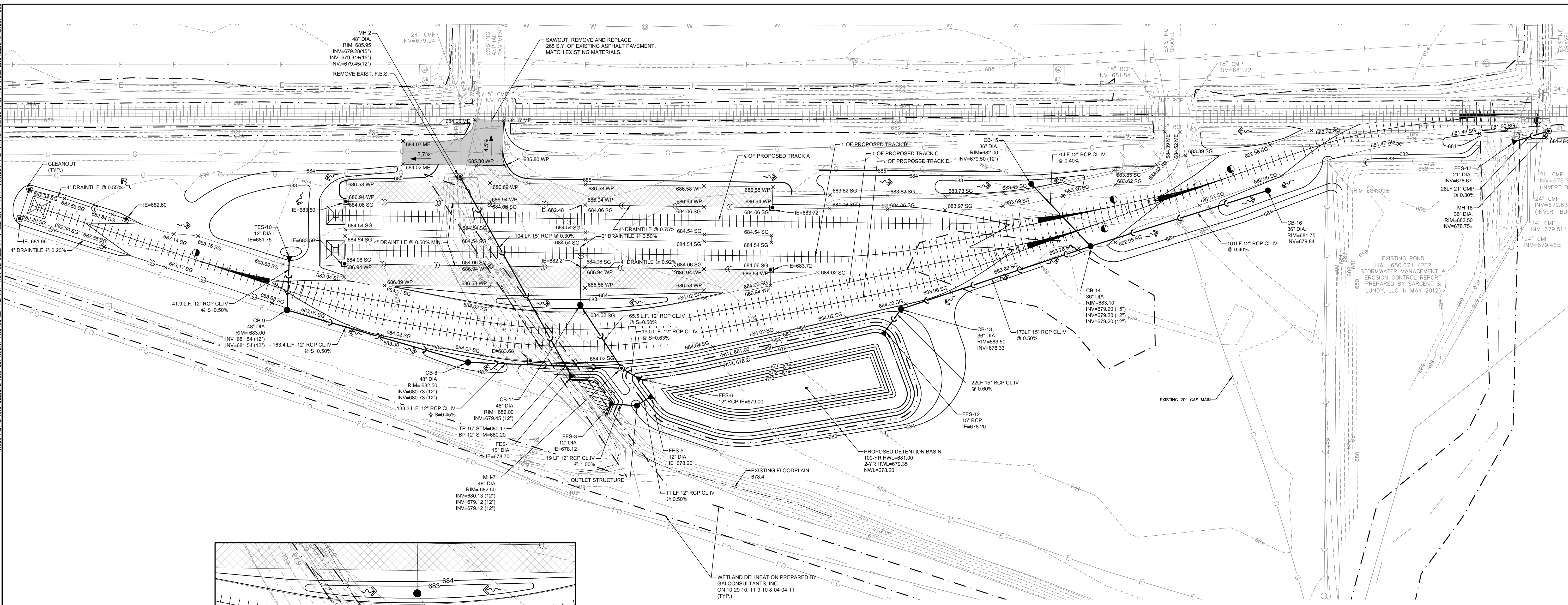
**MASTER DEVELOPMENT  
PLAN**

PEG JOB No. 185.00-WI	AREA	SHEET
PEG PM	START DATE 04/01/14	2
SCALE 1" = 60'		6

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MASTER DEVELOPMENT PLAN

DESIGNED: KML  
DRAWN: KML  
CHECKED: KML  
REVIEWED: ABA  
DATE: 04/01/14



**FLOODPLAIN COMPENSATORY STORAGE**  
SCALE: 1"=30'

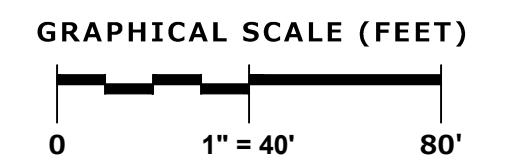
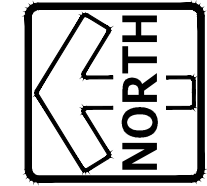
WETLAND DELINEATION PREPARED BY  
GAI CONSULTANTS, INC.  
ON 10-29-10, 11-9-10 & 04-04-11  
(TYP.)

**ELEVATIONS**

- CONTOURS ARE SHOWN AS FINISHED GRADE.
- SPOT ELEVATIONS ARE SHOWN AS FLOW LINE ALONG THE CURB AND GUTTER AND FINISHED GRADE ELSEWHERE UNLESS SPECIFIED AS BELOW.  
WP = WORKING PAD  
ME = MATCH EXISTING  
SG = SUBGRADE ELEVATION

**LEGEND**

EXISTING	PROPOSED	DESCRIPTION
○	●	STORM DRAINAGE STRUCTURE
△	▶	PRECAST FLARED END SECTION
-749-	-749-	CONTOUR
x(750.00)	x750.00	SPOT ELEVATION
→	→	DIRECTION OF SURFACE FLOW
⊙	⊙	SURVEYED TREE
↪	↪	OVERFLOW RELIEF ROUTING
⊙	⊙	SOIL BORING
---	---	PROPOSED RIDGELINE
1:4.1	1:4.1	TYPICAL SLOPE



**REVISIONS**

NO.	DESCRIPTION	DATE
1	PER CLIENT	5-8-14

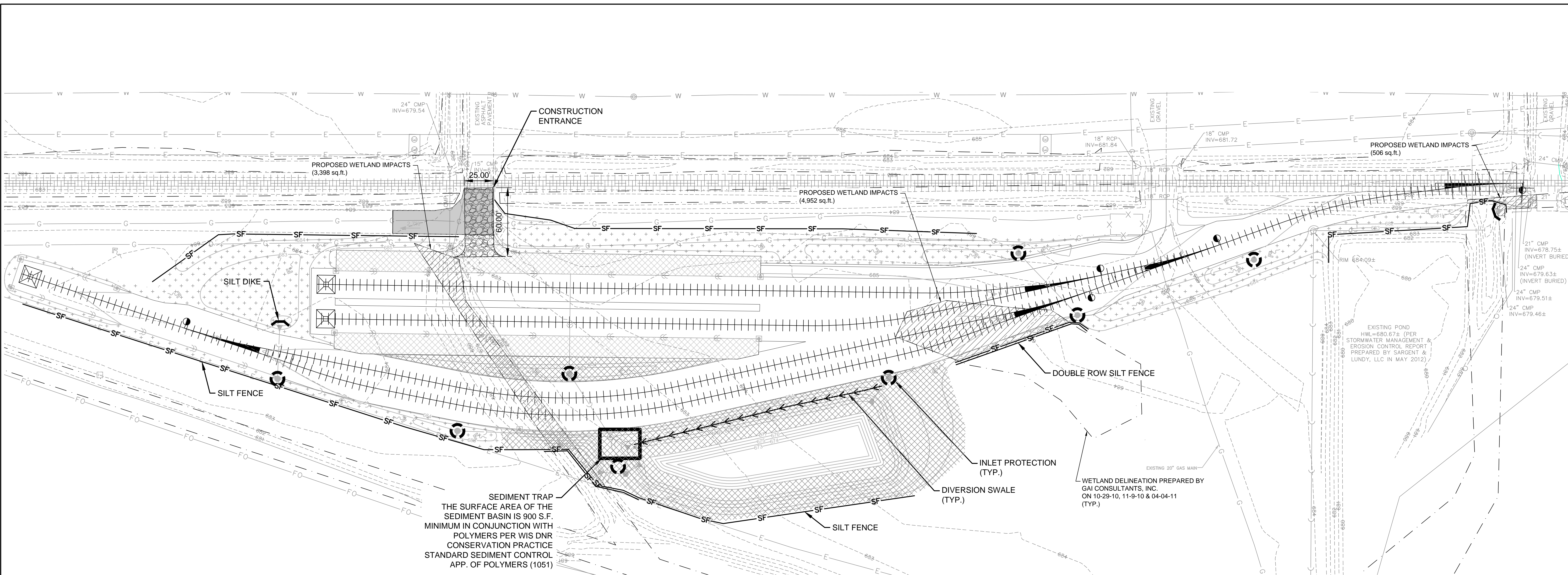
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REVISED: AKA

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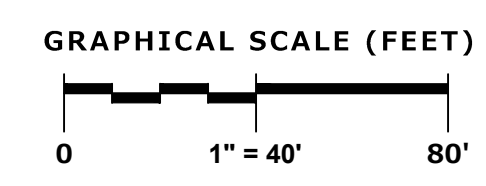
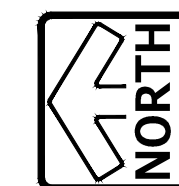
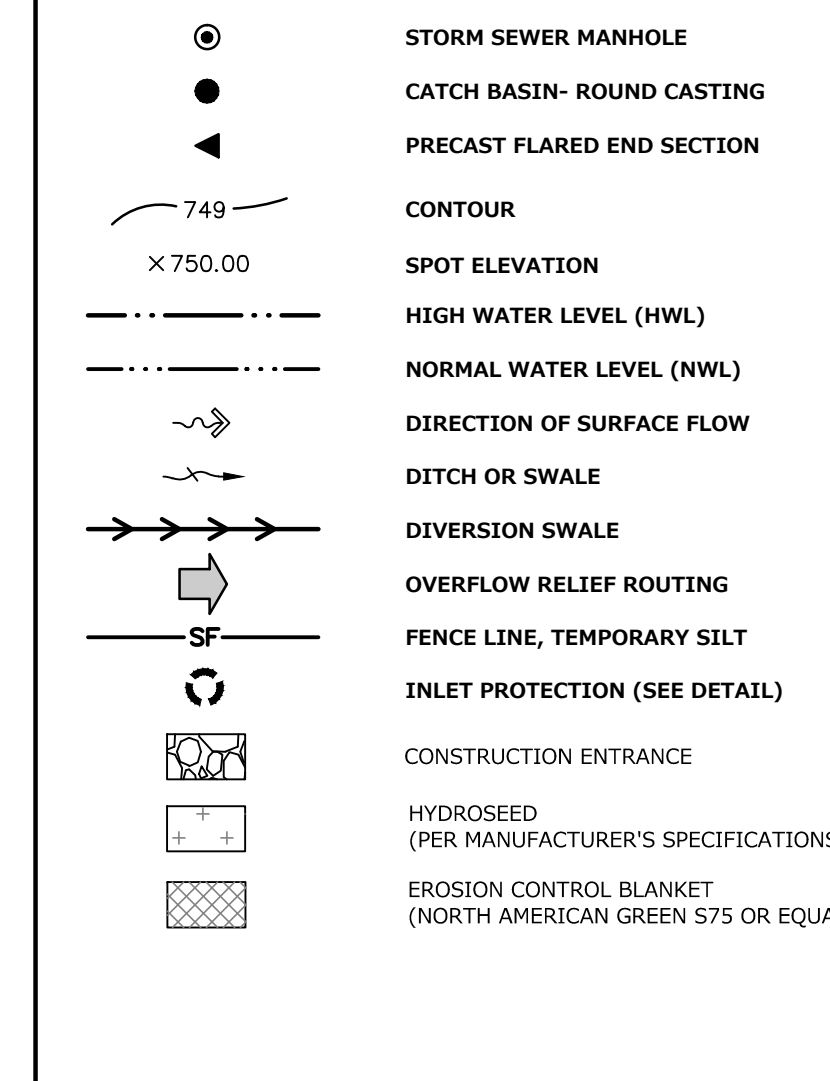
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### GENERAL EROSION AND SEDIMENT CONTROL NOTES

- ALL CONSTRUCTION SHALL ADHERE TO THE REQUIREMENTS SET FORTH IN EPA'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER GENERAL PERMIT ("WPDES" PERMIT NO. WI-5067831-4) FOR CONSTRUCTION SITE LAND DISTURBANCE ACTIVITIES. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL TECHNICAL STANDARDS AND PROVISIONS IN EFFECT AT THE TIME OF CONSTRUCTION. THESE PROCEDURES AND STANDARDS SHALL BE REFERRED TO AS BEST MANAGEMENT PRACTICES (BMP'S). IT IS THE RESPONSIBILITY OF ALL SUBCONTRACTORS ASSOCIATED WITH THE PROJECT TO OBTAIN A COPY OF, AND UNDERSTAND, THE BMP'S PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.
- THE EROSION CONTROL MEASURES INDICATED ON THE PLANS ARE THE MINIMUM REQUIREMENTS. ADDITIONAL CONTROL MEASURES AS DIRECTED BY OWNER/ENGINEER OR GOVERNING AGENCIES SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.
- MODIFICATIONS TO THE APPROVED SWPPP IN ORDER TO MEET UNFORESEEN FIELD CONDITIONS ARE ALLOWED IF MODIFICATIONS CONFORM TO BMP'S. ALL MODIFICATIONS MUST BE APPROVED BY ENGINEER/GOVERNING AGENCY PRIOR TO DEVIATION OF THE APPROVED PLAN.
- INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCES, SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN IN ORDER TO PROTECT ADJACENT PROPERTIES/STORM SEWER SYSTEMS FROM SEDIMENT TRANSPORT.
- CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT ALL LOCATIONS OF VEHICLE INGRESS/EGRESS POINTS. SUBCONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATION(S) WITH THE PROPER AUTHORITIES, PROVIDE NECESSARY FEES AND OBTAIN ALL REQUIRED APPROVALS OR PERMITS. ADDITIONAL CONSTRUCTION ENTRANCES OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE APPLICABLE GOVERNING AGENCIES PRIOR TO INSTALLATION.
- PAVED SURFACES ADJACENT TO CONSTRUCTION ENTRANCES SHALL BE SWEEP AND/OR SCRAPED TO REMOVE ACCUMULATED SOIL, DIRT AND/OR DUST IMMEDIATELY AND AS REQUESTED BY THE GOVERNING AGENCIES.
- ALL EXISTING STORM SEWER FACILITIES THAT WILL COLLECT RUNOFF FROM DISTURBED AREAS SHALL BE PROTECTED TO PREVENT SEDIMENT DEPOSITION WITHIN STORM SEWER SYSTEMS. INLET PROTECTION SHALL BE IMMEDIATELY FITTED AT THE INLET OF ALL INSTALLED STORM SEWER AND SILT FENCE SHALL BE IMMEDIATELY FITTED AT ALL INSTALLED CULVERT INLETS. ALL INLETS, STRUCTURES, PIPES, AND SWALES SHALL BE KEPT CLEAN AND FREE OF SEDIMENTATION AND DEBRIS.
- EROSION CONTROL FOR UTILITY CONSTRUCTION (STORM SEWER, WATER MAIN, ETC.) OUTSIDE OF THE PERIMETER CONTROLS SHALL INCORPORATE THE FOLLOWING:
  - PLACE EXCAVATED TRENCH MATERIAL ON THE HIGH SIDE OF THE TRENCH.
  - BACKFILL, COMPACT AND STABILIZE THE TRENCH IMMEDIATELY AFTER PIPE CONSTRUCTION.
  - DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH BMP'S PRIOR TO RELEASE INTO STORM SEWER OR DITCHES.
- AT A MINIMUM, SEDIMENT BASINS AND NECESSARY TEMPORARY DRAINAGE PROVISIONS SHALL BE CONSTRUCTED AND OPERATIONAL BEFORE BEGINNING OF SIGNIFICANT MASS GRADING OPERATIONS TO PREVENT OFFSITE DISCHARGE OF UNTREATED RUNOFF.
- ALL WATERCOURSES AND WETLANDS SHALL BE PROTECTED WITH SILT FENCE TO PREVENT ANY DIRECT DISCHARGE FROM DISTURBED SOILS.
- ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES MUST BE MAINTAINED AND REPAIRED AS NEEDED. THE GENERAL CONTRACTOR, THROUGH ITS SUBCONTRACTOR, WILL BE RESPONSIBLE FOR INSPECTION AND REPAIR DURING CONSTRUCTION. THE OWNER WILL BE RESPONSIBLE IF EROSION CONTROL IS REQUIRED AFTER THE SUBCONTRACTOR HAS COMPLETED THE PROJECT.
- TOPSOIL STOCKPILES SHALL HAVE A BERM OR TRENCH AROUND THE CIRCUMFERENCE AND PERIMETER SILT FENCE TO CONTROL SILT. IF TOPSOIL STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS, TEMPORARY SEEDING AND STABILIZATION IS REQUIRED.
- EROSION CONTROL MEASURES TEMPORARILY REMOVED FOR UNAVOIDABLE CONSTRUCTION ACTIVITIES SHALL BE IN WORKING ORDER IMMEDIATELY FOLLOWING COMPLETION OF SUCH ACTIVITIES OR PRIOR TO THE COMPLETION OF EACH WORK DAY, WHICH EVER OCCURS FIRST.
- MAINTAIN SOIL EROSION CONTROL DEVICES THROUGH THE DURATION OF THIS PROJECT. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER FINAL SITE STABILIZATION IS ACHIEVED OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED. DISTURBANCES ASSOCIATED WITH EROSION CONTROL REMOVAL SHALL BE IMMEDIATELY STABILIZED.
- PUMPS MAY BE USED AS BYPASS DEVICES. IN NO CASE SHALL PUMPED WATER BE DIVERTED OUTSIDE THE PROJECT LIMITS. PUMP DISCHARGE SHALL BE DIRECTED INTO AN APPROVED FILTER BAG OR APPROVED SETTLING DEVICE.
- GRADING EFFORTS SHALL BE CONDUCTED IN SUCH A MANNER AS TO MINIMIZE EROSION. EROSION AND SEDIMENT CONTROL MEASURES SHALL CONSIDER THE TIME OF YEAR, SITE CONDITIONS, AND THE USE OF TEMPORARY OR PERMANENT MEASURES. ALL DISTURBED AREAS THAT WILL NOT BE WORKED FOR A PERIOD OF FOURTEEN (14) DAYS REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH TECHNICAL STANDARDS.
- ALL DISTURBED SLOPES EXCEEDING 3:1, SHALL BE STABILIZED WITH NORTH AMERICAN GREEN S75BN EROSION MATTING (OR APPROVED EQUAL) AND ALL CHANNELS SHALL BE STABILIZED WITH CLASS I TYPE B (SEE WISCONSIN DOT PRODUCT ACCEPTABILITY LISTS) OR APPLICATION OF AN APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED. EROSION MATTING AND/OR NETTING USED ONSITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
- DURING PERIODS OF EXTENDED DRY WEATHER, THE SUBCONTRACTOR SHALL KEEP A WATER TRUCK ON SITE FOR THE PURPOSE OF WATERING DOWN SOILS WHICH MAY OTHERWISE BECOME AIRBORNE. THE SUBCONTRACTOR IS RESPONSIBLE FOR CONTROLLING WIND EROSION (DUST) DURING CONSTRUCTION AT HIS/HER EXPENSE.
- DISTURBED AREAS AND AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION SHALL BE VISUALLY INSPECTED FOR EVIDENCE OF, OR THE POTENTIAL FOR, POLLUTANTS ENTERING THE DRAINAGE SYSTEM ON A DAILY BASIS.
- QUALIFIED PERSONNEL (PROVIDED BY THE GENERAL CONTRACTOR) SHALL INSPECT DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED AND EROSION AND SEDIMENT CONTROLS WITHIN 24 HOURS OF ALL 0.5-INCH, OR MORE, PRECIPITATION EVENTS WITH A MINIMUM INSPECTION INTERVAL OF ONCE EVERY SEVEN (7) CALENDAR DAYS IN THE ABSENCE OF A QUALIFYING RAIN OR SNOWFALL EVENT. REPORTING SHALL BE IN ACCORDANCE WITH THE GENERAL PERMIT. SUBCONTRACTORS SHALL IMMEDIATELY ARRANGE TO HAVE ANY DEFICIENT ITEMS REVEALED DURING INSPECTIONS REPAIRED/REPLACED.
- SEE ADDITIONAL DETAILS AND NOTES ON SITE STABILIZATION PLANS AND CONSTRUCTION DETAILS.
- FARM FIELD STABILIZATION CONSISTS OF PREPARING AND FINISHING EXISTING TOPSOIL FARM FIELD AREAS INCLUDING BREAKING DOWN ALL CLODS AND LUMPS USING THE APPROPRIATE EQUIPMENT TO PROVIDE A UNIFORMLY TEXTURED SOIL. ALL ROCKS, TWIGS, FOREIGN MATERIAL AND CLODS THAT CANNOT BE BROKEN DOWN SHALL BE REMOVED. THE ENTIRE SURFACE SHALL BE DRESSED TO PROVIDE A UNIFORM SURFACE. THE AREA SHALL THEN BE SEEDDED WITH A NATIVE SEED MIXTURE.

### LEGEND



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## WE ENERGIES LADDER TRACK INSTALLATION PLEASANT PRAIRIE, WI

REVISIONS	
1	PER CLIENT
5-8-14	

## SOIL EROSION & SEDIMENT CONTROL PLAN

PEG JOB No. 188.00-VX1	AREA	SHEET
PEG PM	START DATE 04/01/14	4
SCALE 1" = 40'		6

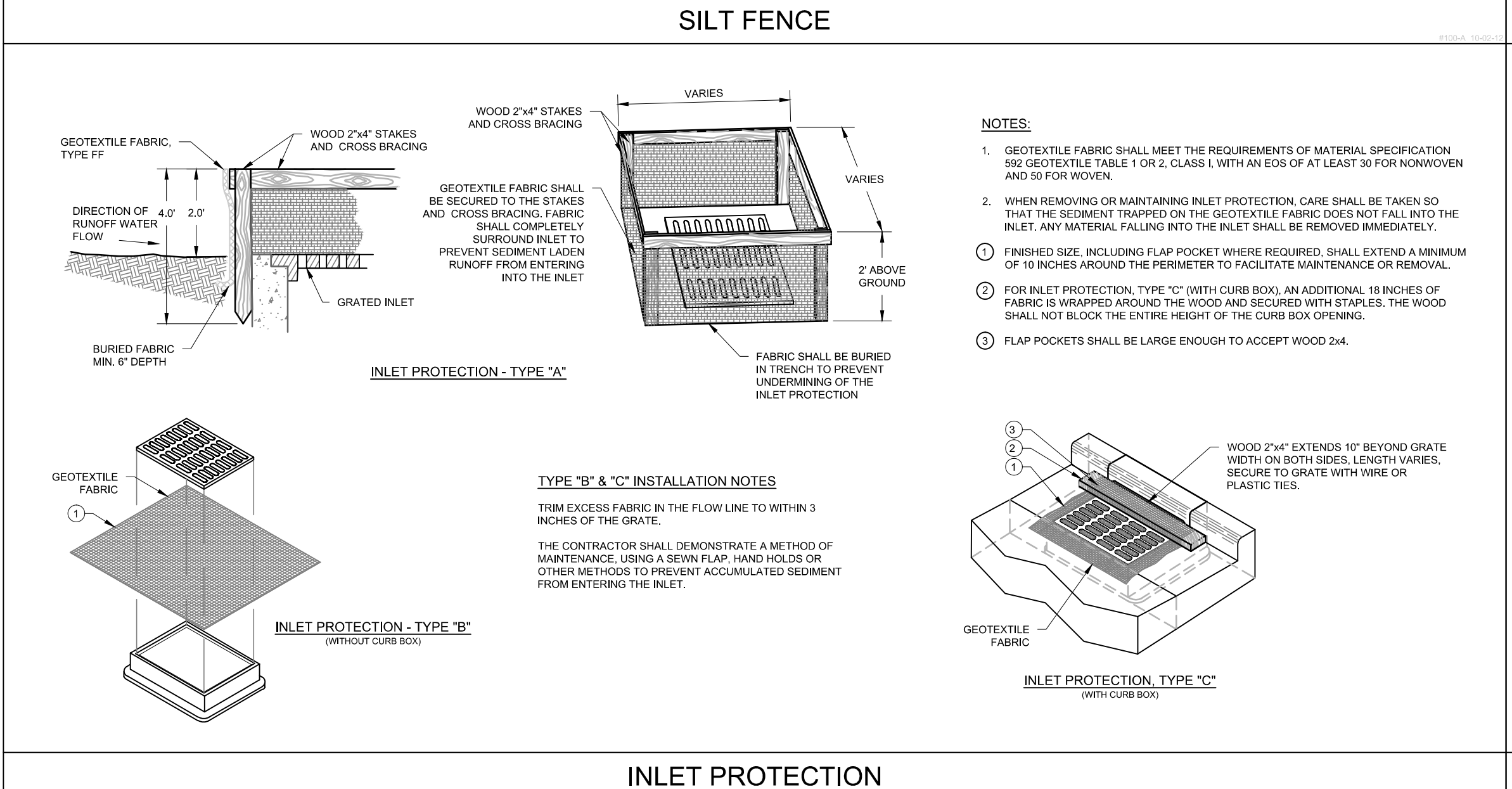
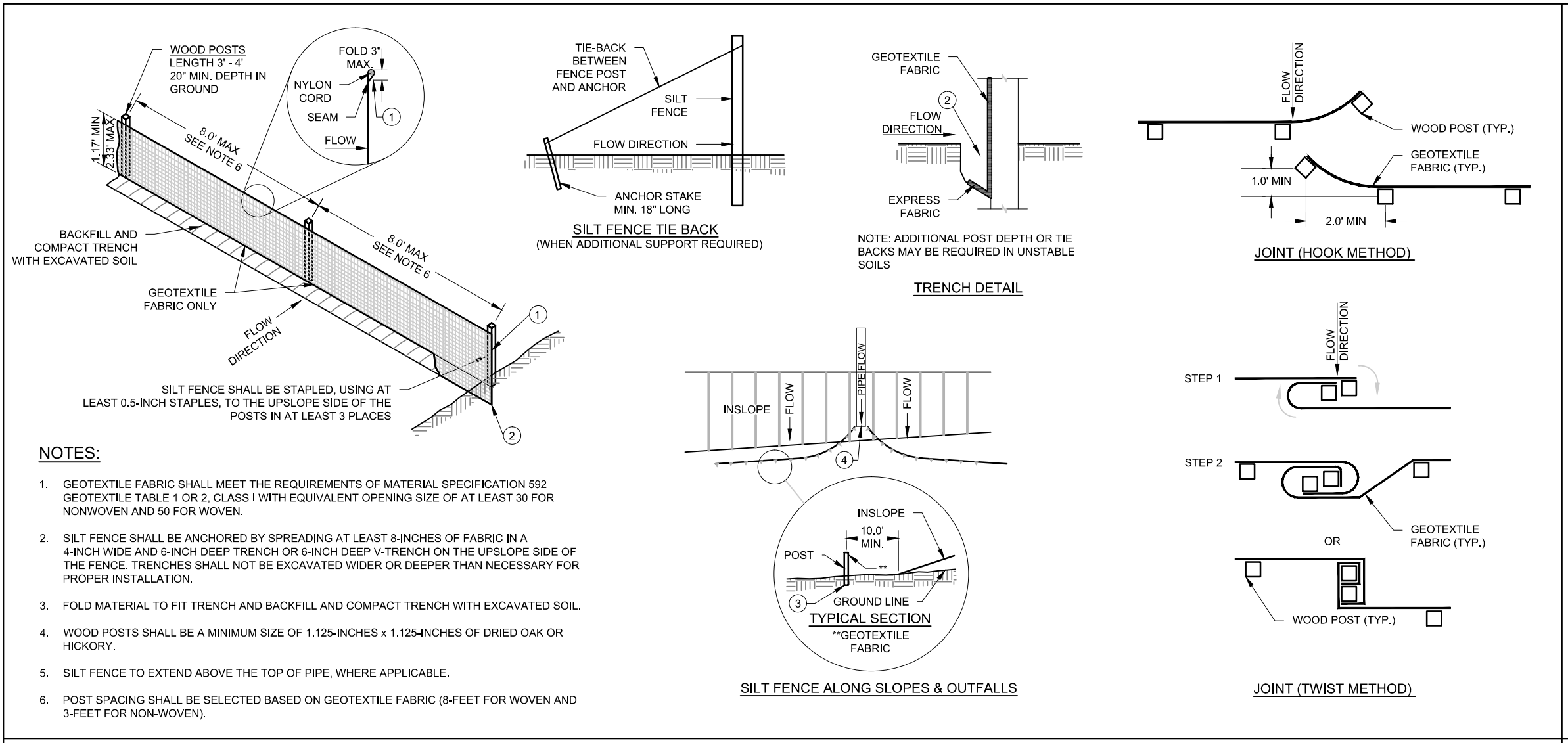
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SOIL EROSION & SEDIMENT CONTROL PLAN

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**1.0 POTENTIAL POLLUTANT SOURCES**

GIVEN THE PROPOSED ACTIVITY ON THE PROJECT SITE, THE PRIMARY POTENTIAL POLLUTANT SOURCE ASSOCIATED WITH THIS CONSTRUCTION PROJECT IS SOIL EROSION AND TRANSPORTATION. REFER TO SECTION 4 OF THIS PLAN. ADDITIONAL POTENTIAL SOURCES OF POLLUTION MAY INCLUDE: FUEL TANKS, WASTE CONTAINERS, OIL OR OTHER PETROLEUM PRODUCTS, DETERGENTS, PAINTS, CONSTRUCTION DEBRIS, SANITARY STATIONS, FERTILIZERS, AND DUST; REFER TO SECTION 5 OF THIS PLAN.

**2.0 EROSION AND SEDIMENT CONTROL IMPLEMENTATION**

THE FOLLOWING ARE DESCRIPTIONS OF THE EROSION AND SEDIMENT CONTROL PRACTICES THAT SHALL BE IMPLEMENTED DURING CONSTRUCTION OF THIS PROJECT. IN ADDITION TO THESE MEASURES, SUBCONTRACTOR SHALL OBTAIN ONLY AREAS NECESSARY TO COMPLETE THE CONSTRUCTION PROJECT. ALL PRACTICES SHALL BE CONDUCTED IN ACCORDANCE WITH THE BEST MANAGEMENT PRACTICES (BMP).

**2.1 CONSTRUCTION AND EROSION CONTROL SEQUENCING**

CONSTRUCTION SEQUENCING WILL BE UTILIZED AS A MEANS OF CONTROLLING EROSION AND LIMITING SEDIMENT TRANSPORT. SEQUENCING AS LISTED BELOW IS GENERAL IN NATURE AND MAY VARY DEPENDING ON WEATHER CONDITIONS AND/OR PHASING OF CONSTRUCTION. THE ENGINEER SHALL PREPARE A DETAILED SITE SEQUENCING PLAN PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. GENERAL CONSTRUCTION MAY MODIFY SEQUENCING AFTER ITEM 4 IS AS NECESSARY TO COMPLETE CONSTRUCTION ONLY IF EROSION CONTROLS ARE MAINTAINED IN ACCORDANCE WITH THE CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL REQUIREMENTS.

- INSTALL TEMPORARY CONSTRUCTION ENTRANCES, INLET PROTECTION ON EXISTING STORM SEWER AND CULVERT INLET LOCATIONS, AND PERIMETER SILT FENCING.
- INSTALL SILT FENCING ALONG THE PERIMETER OF PROPOSED TOPSOIL STOCKPILE LOCATIONS. THE FIRST TOPSOIL DEPOSITED WITHIN THE STOCKPILE LIMITS SHALL BE PLACED TO CREATE TEMPORARY BERMING ALONG THE SILT FENCE TO PREVENT DIRECT STORMWATER RUNOFF AGAINST SILT FENCING. SUBCONTRACTOR SHALL LIMIT LAND DISTURBING ACTIVITIES ASSOCIATED WITH TEMPORARY BERMING TO A MINIMUM.
- STRIP TOPSOIL WITHIN THE LIMITS OF THE SEDIMENT PADS THAT WILL BE USED FOR TEMPORARY SEDIMENT CONTROL. STRIPPED TOPSOIL SHALL BE PLACED TO CONSTRUCT DIVERSION BERMING OR PLACED WITHIN THE STOCKPILE LIMITS.
- STRIP TOPSOIL ALONG THE REMAINDER OF DIVERSION BERMING AND IMMEDIATELY PLACE TOPSOIL TO CREATE THE BERMING. MASS TOPSOIL STRIPPING SHALL NOT OCCUR UNTIL ALL DOWNSTREAM SEDIMENT CONTROLS ARE IN PLACE.
- CONDUCT ROUGH GRADING OPERATIONS AND UTILITY PIPING INSTALLATION. DRAIN TILE SHALL NOT BE INSTALLED UNTIL UPLAND AREAS CONTRIBUTING STORMWATER RUNOFF ARE STABILIZED. DITCH CHECKS SHALL BE INSTALLED WITHIN DRAINAGE DITCHES IMMEDIATELY FOLLOWING CREATION OF DITCHES AND INLET PROTECTION SHALL BE INSTALLED TO PROTECT ANY STORM SEWER OR CULVERTS THAT WILL FUNCTION DURING CONSTRUCTION.
- FINE GRADE SUB-GRADE SOILS WITHIN PAVEMENT AND BUILDING LIMITS. PLACE STONE BASE MATERIAL AS SOON AS POSSIBLE FOLLOWING COMPLETION OF FINE GRADING EFFORTS.
- FINE GRADE REMAINING DISTURBED AREAS. PLACE SALVAGED TOPSOIL, EROSION BLANKETS/MATTING, AND SEED/MULCH AS SOON AS POSSIBLE FOLLOWING COMPLETION OF FINE GRADING EFFORTS.
- EROSION CONTROLS SHALL NOT BE REMOVED UNTIL SITE IS FULLY STABILIZED OR 70% VEGETATIVE COVER IS ESTABLISHED. SUBCONTRACTOR IS RESPONSIBLE FOR REMOVAL OF SILT FENCE, TEMPORARY FENCING/PRETECTION, DITCH CHECKS, AND OTHER TEMPORARY CONTROLS, AND RESTORATION PRACTICES AS NECESSARY, TO THE SATISFACTION OF THE OWNER.

**2.2 STABILIZATION PRACTICES**

THE DATES WHEN MAJOR GRADING ACTIVITIES OCCUR, WHEN CONSTRUCTION ACTIVITIES TEMPORARILY OR PERMANENTLY CEASE ON A PORTION OF THE SITE, AND WHEN STABILIZATION MEASURES ARE INITIATED, SHALL BE RECORDED ON THE STABILIZATION SCHEDULE FOR MAJOR GRADING ACTIVITIES.

STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED. NO MORE THAN SEVEN (7) DAYS SHALL PASS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS PERMANENTLY CEASED OR UNLESS:

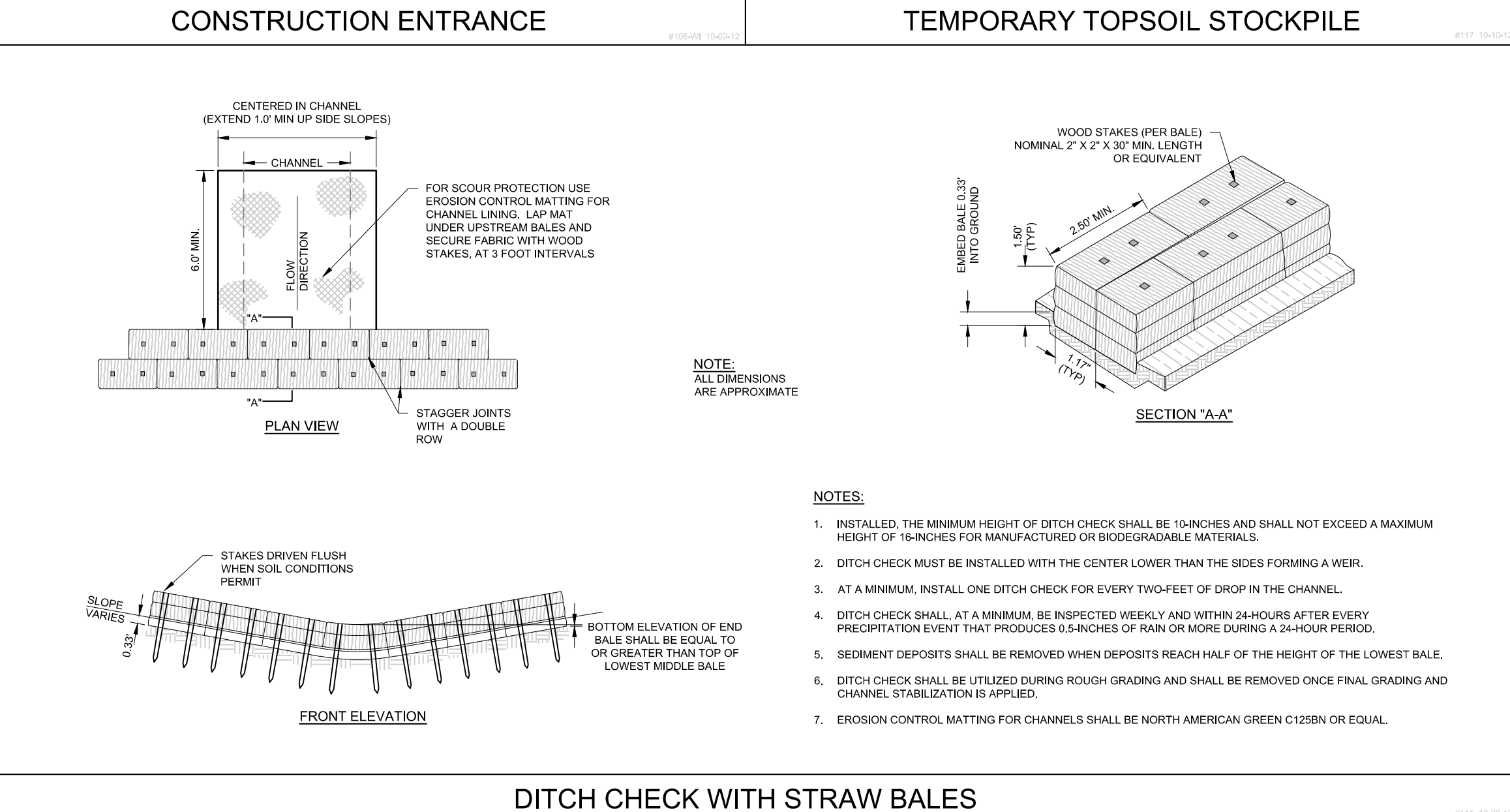
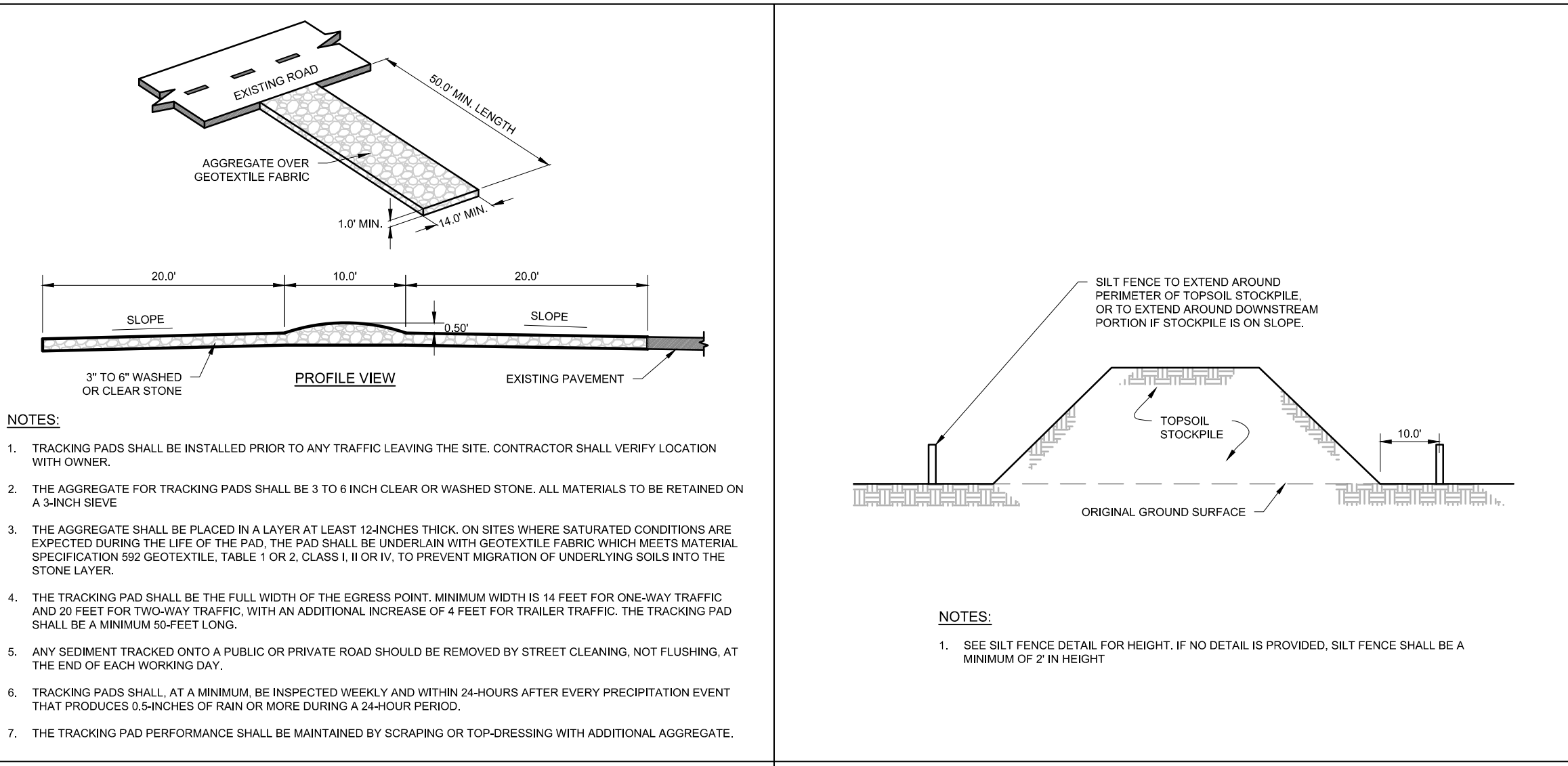
- THE INITIATION OF STABILIZATION MEASURES BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY TEMPORARILY OR PERMANENTLY CEASES IS PRECLUDED BY SNOW COVER. IN THAT EVENT, STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE.
- CONSTRUCTION ACTIVITY WILL RESUME ON A PORTION OF THE SITE WITHIN FOURTEEN (14) DAYS FROM WHEN ACTIVITIES CEASED. (I.E. THE TOTAL TIME PERIOD THAT THE CONSTRUCTION ACTIVITY IS CEASED IS LESS THAN SEVENTEEN (17) DAYS). IN THAT CASE, STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS TEMPORARILY CEASED. SEE THE SOIL PROTECTION CHART PRESENTED IN THE CONSTRUCTION DOCUMENTS FOR RATES OF PERMANENT AND TEMPORARY VEGETATION.

STABILIZATION MEASURES SHALL BE DETERMINED BASED ON SITE CONDITIONS AT THE TIME CONSTRUCTION ACTIVITY HAS CEASED, INCLUDING BUT NOT LIMITED TO WEATHER CONDITIONS AND LENGTH OF THE MEASURE MUST BE EFFECTIVE. THE FOLLOWING ARE ACCEPTABLE STABILIZATION MEASURES:

- PERMANENT SEEDING: IN ACCORDANCE WITH APPROVED LANDSCAPING PLAN
- TEMPORARY SEEDING MAY CONSIST OF SPRING OATS (100 LBS/ACRE) AND/OR WHEAT OR CEREAL RYE (150 LBS/ACRE)
- HYDROMULCHING WITH A TACKIFIER
- GEOTEXTILE EROSION MATTING
- SOODING

**2.3 STRUCTURAL PRACTICES**

THE FOLLOWING ARE DESCRIPTIONS OF STRUCTURAL PRACTICES TO BE IMPLEMENTED TO DIVERT FLOWS FROM EXPOSED SOILS, STORE FLOWS, OR OTHERWISE LIMIT THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE INCLUDING THE PROPOSED AND EXISTING WETLAND AREAS. SUCH PRACTICES COULD INCLUDE:



**5.0 INSPECTION**

INSPECTIONS SHALL BE COMPLETED WITHIN TWENTY-FOUR (24) HOURS OF THE END OF A RAINFALL EVENT THAT IS ONE-HALF INCH OR GREATER OR EQUIVALENT SNOWFALL, OR AT A MINIMUM ONCE EVERY SEVEN (7) CALENDAR DAYS. INSPECTIONS SHALL BE UNDERTAKEN BY QUALIFIED PERSONNEL PROVIDED BY THE GENERAL CONTRACTOR AND SHALL INCLUDE: DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED; STRUCTURAL CONTROL MEASURES; AND LOCATIONS WHERE VEHICLES ENTER OR EXIT THE SITE. A STORMWATER POLLUTION PREVENTION PLAN INSPECTION REPORT SHALL BE COMPLETED AND ADDED TO THE SWPPP. RAINFALL SHALL BE RECORDED ON THE SWPPP RAINFALL LOG. SUBCONTRACTOR SHALL IMMEDIATELY ARRANGE FOR REPAIR OR REPLACEMENT OF ANY DAMAGED OR DEFICIENT CONTROL MEASURES OBSERVED DURING THE INSPECTION.

QUALIFIED PERSONNEL MEANS A PERSON KNOWLEDGEABLE IN THE PRINCIPLES AND PRACTICES OF EROSION AND SEDIMENT CONTROL MEASURES, SUCH AS A LICENSED PROFESSIONAL ENGINEER, A CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL, A CERTIFIED EROSION SEDIMENT OR STORMWATER INSPECTOR, OR OTHER TRAINED INDIVIDUAL.

**6.0 SPILL PREVENTION**

**6.1 GENERAL MATERIAL MANAGEMENT PRACTICES**

THE GOOD HOUSEKEEPING PRACTICES LISTED BELOW SHALL BE FOLLOWED THROUGHOUT THE CONSTRUCTION PROJECT.

- SUBCONTRACTOR SHALL STORE ONLY ENOUGH PRODUCTS REQUIRED TO COMPLETE THIS PROJECT.
- ALL MATERIAL SHALL BE STORED IN A NEAT, ORDERLY MANNER IN THEIR ORIGINAL CONTAINERS CONTAINING MANUFACTURER'S LABEL.
- MANUFACTURER'S RECOMMENDATIONS FOR PROPER USE AND DISPOSAL SHALL BE FOLLOWED.
- MATERIALS REQUIRED TO HAVE A MATERIAL SAFETY DATA SHEET (MSDS) SHALL HAVE A COPY STORED IN THE PROJECT'S MSDS DATABASE.

**6.2 SPILL CONTROL PRACTICES**

THE PRACTICES LISTED BELOW SHALL BE FOLLOWED FOR SPILL PREVENTION AND CLEANUP.

- MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP SHALL BE MAINTAINED ON-SITE.
- IMMEDIATELY UPON DISCOVERY ALL SPILLS SHALL BE CLEANED UP ACCORDING TO THE MANUFACTURER'S RECOMMENDED METHODS.
- SUBCONTRACTOR CLEANING UP A SPILL SHALL USE PERSONAL PROTECTIVE EQUIPMENT.
- IMMEDIATELY UPON DISCOVERY, SPILLS OF TOXIC OR HAZARDOUS MATERIALS SHALL BE REPORTED TO THE OWNER AND GENERAL CONTRACTOR.
- NOTIFICATION AND RECORDING TO THE APPROPRIATE FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES SHALL BE MADE AS REQUIRED.

**GENERAL INFORMATION:**

THIS STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN DEVELOPED TO FULFILL ONE OF THE REQUIREMENTS OF THE GENERAL ENVIRONMENTAL PROTECTION AGENCY (EPA) NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDDES) POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT NO. W-8007831-4 FOR THE DISCHARGE OF STORMWATER ASSOCIATED WITH CONSTRUCTION PROJECTS DISTURBING ONE ACRE OR MORE. THE OWNER AND SUBCONTRACTORS SHALL COMPLY WITH ALL REQUIREMENTS OF THE NPDES FOR ALL SUCH CONSTRUCTION PROJECTS. THE STORMWATER DISCHARGES ASSOCIATED WITH THE CONSTRUCTION ACTIVITY FROM THIS SITE ARE SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE PERMITS.

THE EXECUTED OWNER CERTIFICATION AND THE CONTRACTOR CERTIFICATIONS SHALL BE KEPT ON-SITE WITH THE APPROVED PLANS.

**SWPPP AVAILABILITY:**

THE GENERAL CONTRACTOR SHALL RETAIN A COPY OF THE SWPPP AT THE CONSTRUCTION SITE FROM THE DATE OF THE PROJECT INITIATION TO THE DATE OF FINAL STABILIZATION.

**KEEPING PLANS CURRENT:**

THE GENERAL CONTRACTOR SHALL AMEND THE PLAN WHENEVER THERE IS A CHANGE IN BENCH, CONSTRUCTION, OPERATION, OR MAINTENANCE, WHICH HAS A SIGNIFICANT EFFECT ON THE POTENTIAL FOR THE DISCHARGE OF POLLUTANTS TO THE WATERS OF THE STATE AND WHICH HAS NOT OTHERWISE BEEN ADDRESSED IN THE PLAN OR IF THE PLAN PROVES TO BE INEFFECTIVE IN ELIMINATING OR SIGNIFICANTLY CONTROLLING POLLUTANTS IN STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION SITE ACTIVITY. IN ADDITION, THE PLAN SHALL BE AMENDED TO IDENTIFY ANY NEW CONTRACTOR AND/OR SUBCONTRACTOR THAT WILL IMPLEMENT A MEASURE OF THE PLAN. AMENDMENTS TO THE PLAN MAY BE REQUIRED BY THE MUNICIPALITY, OWNER, OR OTHER REVIEWING AGENCY. COPIES OF THE AMENDMENTS SHALL BE KEPT ON-SITE AS PART OF THE SWPPP.

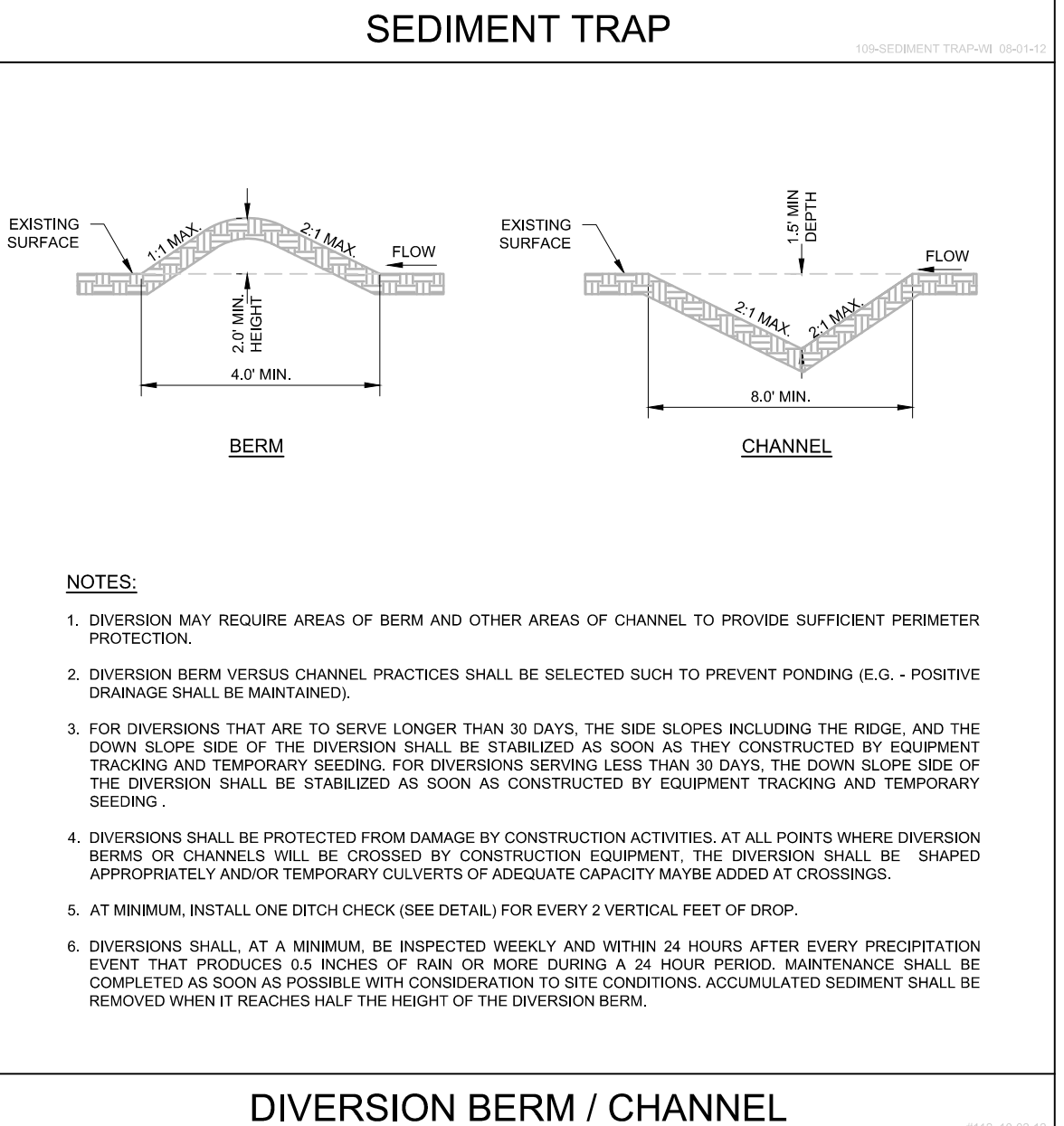
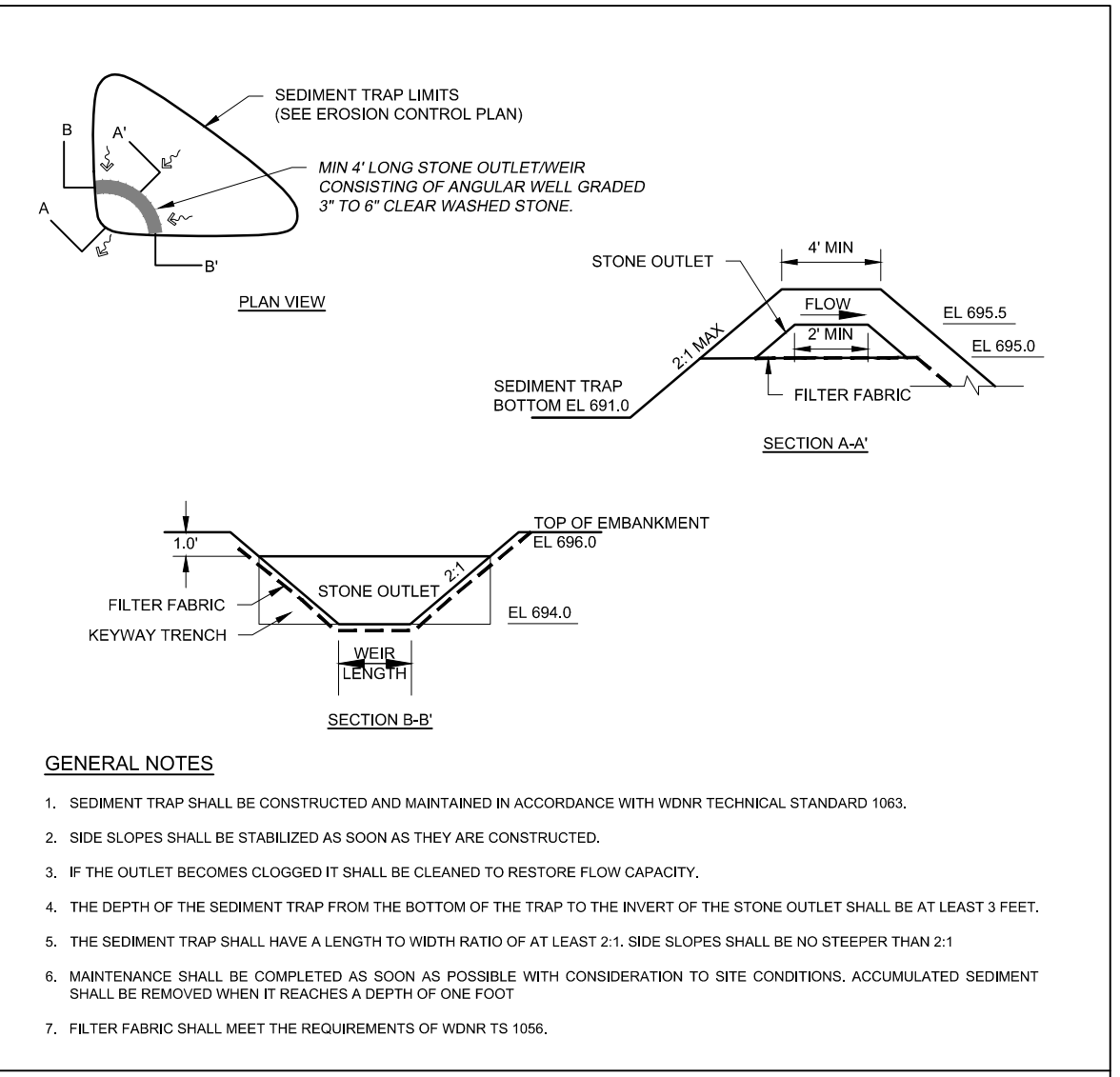
**RETENTION OF RECORDS:**

THE OWNER SHALL RETAIN COPIES OF THIS AND ALL REPORTS AND NOTICES REQUIRED BY THIS PERMIT, AND RECORDS OF ALL DATA USED TO COMPLETE THE NOTICE OF INTENT TO BE COVERED BY THIS PERMIT FOR AT LEAST THREE YEARS FROM THE DATE THE PERMIT COVERAGE EXPIRES OR IS TERMINATED. THIS PERIOD MAY BE EXTENDED BY THE REQUEST OF THE AGENCY AT ANY TIME. IN ADDITION, THE OWNER SHALL RETAIN A COPY OF THE PLAN REQUIRED BY THIS PERMIT AT THE CONSTRUCTION SITE FROM THE DATE OF PROJECT INITIATION TO THE DATE OF FINAL STABILIZATION.

A NOTICE OF INTENT (NOI) APPLICATION MUST BE COMPLETED AND INCORPORATED INTO THE SWPPP.

**WPDES NOTICE OF TERMINATION GUIDANCE:**

WHEN A SITE HAS BEEN FINALLY STABILIZED AND ALL STORMWATER DISCHARGES FROM CONSTRUCTION SITES THAT ARE AUTHORIZED BY THE ILRI PERMIT ARE ELIMINATED, THE OWNER OF THE FACILITY MUST SUBMIT A COMPLETED NOTICE OF TERMINATION THAT IS SIGNED IN ACCORDANCE WITH THE PERMIT. GENERAL CONTRACTOR SHALL SUBMIT A COMPLETED NOTICE OF TERMINATION TO OWNER FOR EXECUTION.



**SOIL PROTECTION CHART AND APPLICATION GUIDELINES**

CONTROL MEASURE GROUP	CONTROL MEASURE	CONTROL MEASURE CHARACTERISTICS	TEMP.	PERMAN.
VEGETATIVE SOIL COVER	TEMPORARY SEEDING	PROVIDES QUICK TEMPORARY COVER TO CONTROL EROSION WHEN PERMANENT SEEDING IS NOT DESIRED OR TIME OF YEAR IS INAPPROPRIATE	X	
	PERMANENT SEEDING	PROVIDES PERMANENT VEGETATIVE COVER TO CONTROL EROSION. FILTERS SEDIMENT FROM WATER MAIN LINES. LANDSCAPE PLAN		X
NON VEGETATIVE SOIL COVER	AGGREGATE COVER	PROVIDES TEMPORARY COVER ON ROADS AND PARKING LOTS AND AREAS WHERE VEGETATION CANNOT BE ESTABLISHED. PREVENTS MUD FROM BEING PICKED UP AND TRANSPORTED OFF-SITE.	X	X
	PAVING	PROVIDES PERMANENT COVER ON PARKING LOTS AND ROADS OR OTHER AREAS WHERE VEGETATION CANNOT BE ESTABLISHED.		X
DIVERSIONS	DIVERSION BERM / SWALE	DIVERTS RUNOFF TO A SEDIMENT TRAP OR OTHER CONTROL.	X	X
ENCLOSED DRAINAGE	STORM SEWER	CONVEYS SEDIMENT LADEN WATER TO A SEDIMENT BASIN.		X
OUTLETS	APRON ENDWALL OR RIPRAP	PROTECTS DOWNSTREAM CHANNEL FROM HIGH VELOCITY OF FLOW DISCHARGING FROM STRUCTURE.	X	X
SEDIMENT BASINS	TEMPORARY SEDIMENT TRAP	CONSTRUCTED TO REMOVE SILTATION FROM RUNOFF FROM SITE (DIVERSION BERMS/SWALES AND IN OVERLAND FLOOD ROUTE. CAN BE CONVERTED TO PERMANENT SEDIMENT BASIN).	X	X
SEDIMENT FILTERS	SILT FENCE	PLACED DOWN SLOPE OF DISTURBED AREA TO KEEP RUNOFF CONTAINED ON-SITE.	X	
	INLET PROTECTION	INSTALLED IN OPEN GRATE STRUCTURES TO COLLECT SEDIMENT.	X	
MUD AND DUST CONTROL	DITCH CHECK	PLACED IN DRAINAGE CHANNELS TO FILTER SEDIMENT FROM RUNOFF.	X	
	CONSTRUCTION ENTRANCE	REDUCES SOIL EROSION POLLUTANTS BEING TRANSPORTED OFF-SITE.	X	
DUST CONTROL	STREET SWEEPING	REDUCES POLLUTANTS TRACKED FROM CONSTRUCTION SITE.	X	
	DUST CONTROL	PREVENTS DUST FROM LEAVING CONSTRUCTION SITE.	X	

**STABILIZATION EFFECTIVENESS (TIME OF YEAR)**

STABILIZATION TYPE	STABILIZATION UTILIZATION PERIODS											
	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
PERMANENT SEEDING				A	*	*	*	*	*	*	*	*
DORMANT SEEDING	B											
TEMPORARY SEEDING				C	*	*	*	D	*	*	*	*
SOODING				E	*	*	*	*	*	*	*	*

A. KENTUCKY BLUEGRASS 90 LBS/ACRE MIXED WITH PERENNIAL RYEGRASS 30 LBS/ACRE.  
 B. KENTUCKY BLUEGRASS 135 LBS/ACRE MIXED WITH PERENNIAL RYEGRASS 45 LBS/ACRE + 2 TONS STRAW MULCH/ACRE.  
 C. SPRING OATS 150 LBS/ACRE.  
 D. WHEAT OR CEREAL RYE 150 LBS/ACRE.  
 E. SOIL.  
 F. STRAW MULCH 2 TONS/ACRE.  
 \* IRRIGATION/WATERING REQUIRED TO SUPPORT ESTABLISHMENT AS NEEDED.

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**LADDER TRACK INSTALLATION**  
PLEASANT PRAIRIE, WI

**REVISIONS**

NO.	DATE	DESCRIPTION

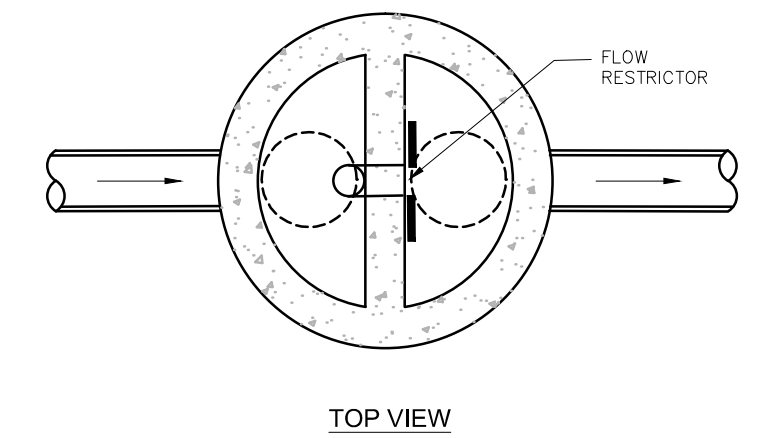
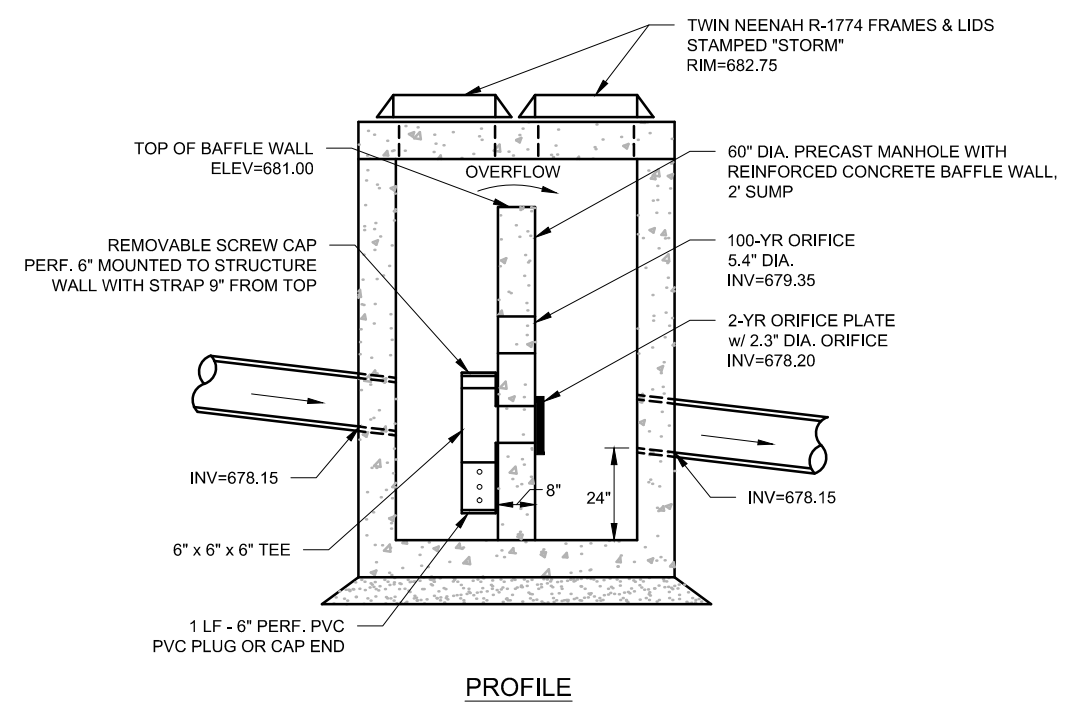
**CONSTRUCTION STANDARDS**

SHEET **5** OF **6**

PEC JOB No. 1485-00-VX1  
AREA  
PEG PH  
START DATE 04/01/14  
SCALE  
SHEET

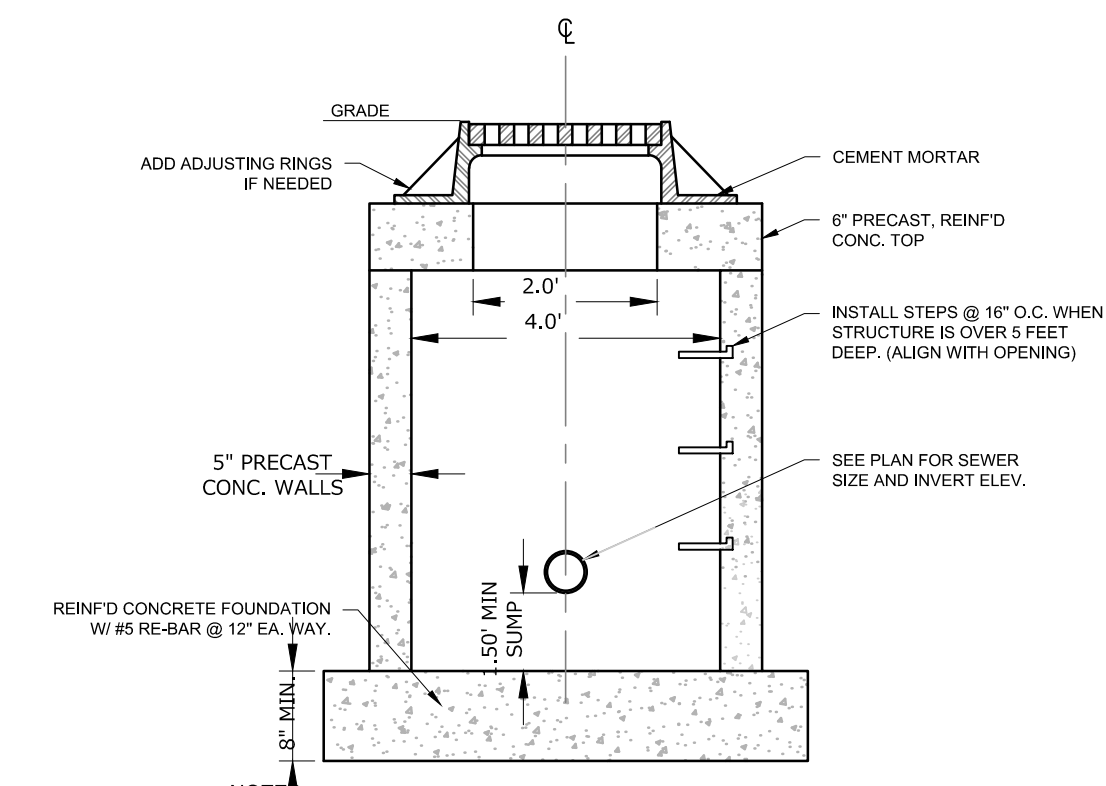
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 REVIEWED: ABA  
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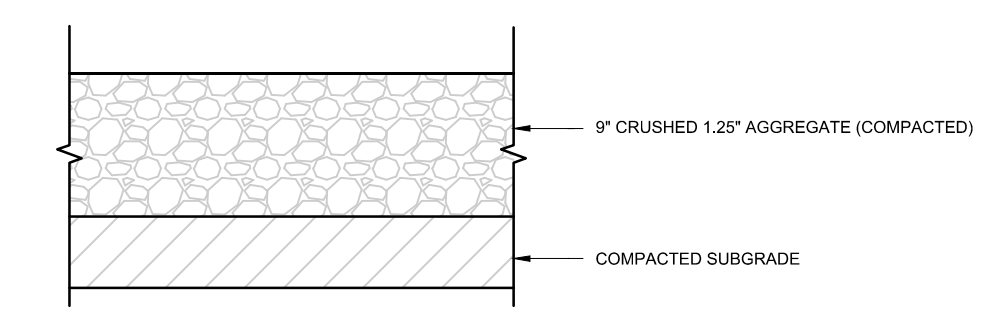
- NOTES:
1. ALL PVC PIPE AND FITTINGS SHALL BE SDR20 OR STRONGER.
  2. PERFORATIONS SHALL BE DRILLED 2" DIA. HOLES WITH 1" SPACING ON A VERTICAL LINE, 4 SIDES.
  3. PIPE STRAPS SHALL BE STAINLESS STEEL, REDLINER OR EQUIVALENT.
  4. HYDRAULIC CEMENT FOR GROUTING, 1/4" X 1/2" X 1/2" GALVANIZED STEEL ORIFICE PLATE CENTERED ON 6" HOLE IN BAFFLE WALL.
  5. 4-3/8" EXPANSION ANCHORS, LUG BOLT, LUG SHIELD TYPE EMBEDDED IN WALL, 1/4" W/ WASHERS AND HEX NUTS, TACK WELD NUTS SEAL PLATE AT WALL WITH SILICONE SEALANT.

OUTLET STRUCTURE DETAIL



- NOTES:
1. EACH STICK, RUBBER GASKET OR APPROVED EQUIVALENT SHALL BE PLACED AT ALL JOINTS BETWEEN ADJUSTING RINGS FOR STORM CATCH BASINS.
  2. THE FLAT TOP MAY BE USED IN LIEU OF THE TAPERED TOP WHEN FIELD CONDITIONS PROHIBIT USE OF A TAPERED TOP.
  3. STRUCTURE TO BE 4.0' DIA. OR AS INDICATED ON THE PLANS.

CATCH BASIN



WORKING PAD SECTION

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**LADDER TRACK INSTALLATION**  
 PLEASANT PRAIRIE, WI

REVISIONS	
1	PER CLIENT 5-8-14

**CONSTRUCTION STANDARDS**

PEG JOB No. 185.00-VII  
 PEG PM ARA  
 START DATE 04/01/14  
 SCALE  
**SHEET 6 OF 6**  
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## VILLAGE STAFF REPORT OF JUNE 9, 2014

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

- B. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-10 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN** as a result of the proposed Kwik Trip gasoline dispenser, convenience store and car wash facility to be located at the southeast corner of 72<sup>nd</sup> Avenue and STH 165: **a)** to amend a portion of the LakeView East Neighborhood Plan 12 of Appendix 9-3 for the properties at the southwest corner of STH 31 and STH 165 for the proposed commercial development of this area including the proposed Kwik Trip facility; **b)** to amend the Village 2035 Land Use Plan Map 9.9 by changing a portion of the property located south of STH 165 and east of 72<sup>nd</sup> Avenue (Tax Parcel Number 92-4-122-281-0115) owned by FIAAT Investments LLC from the General Industrial land use designation to the Community Commercial land use designation and changing the properties located south of STH 165 and west of STH 31 (Tax Parcel Number 92-4-122-272-0475) owned by Richard and Dimitra Priebus, (Tax Parcel Number 92-4-122-272-0401) owned by John Felinski, a portion of the property located south of STH 165 and east of 72<sup>nd</sup> Avenue (Tax Parcel Number 92-4-122-281-0115) and all of Tax Parcel Number 92-4-122—281-0116 owned by FIAAT Investments LLC from the General Industrial land use designation to the Community Commercial with an Urban Reserve land use designation; and **c)** to update Appendix 10-3 of the Village 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

**Recommendation:** Village staff recommends approval of **Plan Commission Resolution #14-10** to approve amendments to the Comprehensive Plan as outlined in said Resolution.

- C. **PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN** for the request of William Morris, agent on behalf of FIAAT Investments LLC for the proposed commercial development of properties located at the southwest corner of STH 31 and STH 165 as a result of the proposed Kwik Trip gasoline dispenser, convenience store and car wash facility to be located at the southeast corner of 72<sup>nd</sup> Avenue and STH 165.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Conceptual Plan** as presented in the Village Staff Report of June 9, 2014.

- D. Consider the request of William Morris, agent on behalf of FIAAT Investments LLC for approval of a **Certified Survey Map:** to subdivide the properties located east of 72<sup>nd</sup> Avenue and south of STH 165 (Tax Parcel Numbers 92-4-122-281-0115 and 92-4-122-281-0116) owned by FIAAT Investments LLC.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Certified Survey Map** as presented in the Village Staff Report of June 9, 2014.

- E. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of William Morris, agent on behalf of FIAAT Investments LLC to rezone a portion of Tax Parcel Number 92-4-122-281-0115 (Lot 1 of the proposed CSM that is proposed to be developed with the a Kwik Trip gasoline dispenser, convenience store and car wash facility) from the M-2, General Manufacturing District to the B-2 Community Commercial District and to rezone a portion of Tax Parcel Number 92-4-122-281-0115 and Tax Parcel Number 92-4-122-281-0116 (Lot 2 of the proposed



CSM) from the M-2, General Manufacturing District to the B-2 (UHO) Community Commercial District with an Urban Landholding Overlay District.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Map Amendment** as presented in the Village Staff Report of June 9, 2014.

- F. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS AND DIGITAL SECURITY IMAGING SYSTEM AND EASEMENT** for the request of William Morris, agent on behalf of FIAAT Investments LLC for approval of the proposed development of a 5,700 square foot Kwik Trip gasoline and convenience store and a 2,790 square foot car wash facility at the southeast corner of STH 165 and 72<sup>nd</sup> Avenue.

**Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Conditional Use Permit including Site and Operational Plans and the Digital Security Imaging System Agreement and Easements** subject to the comments and conditions of the Village Staff Report of June 9, 2014.

*The petitioner is requesting approval of amendments to the Village 2035 Comprehensive Plan, Conceptual Plan, Certified Survey Map, Zoning Map Amendments and a Conditional Use Permit including Site and Operational Plans and the Digital Security Imaging System Agreement and Easement for the development of the property generally located at the southwest corner of STH 165 and STH 31*

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

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

Findings:

1. The petitioner is requesting approval to develop a 2.4 acre site for 5,700 square foot Kwik Trip gasoline dispenser and convenience store and a 2,790 square foot car wash facility at the southeast corner of STH 165 and 72<sup>nd</sup> Avenue. Prior to the approval of the Conditional Use Permit including Site and Operational Plans for this development, the Village requires that the development be consistent with the Village Comprehensive Plan (including both the land use plan and the neighborhood plan.) Therefore, at the hearing tonight several approvals are being requested and will be discussed as identified below.
2. **2035 Comprehensive Plan Amendments (Exhibit A-PC Resolution #14-10):** On December 19, 2009 the Village Board adopted the *Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan*. The 2035 Comprehensive Land Use Plan Map 9.9 sets forth the generalized land use designations of the Village and shall be consistent with other components of the Comprehensive Plan including Neighborhood Plans and should also be consistent with the Village Zoning Map. The following amendments to the Comprehensive Plan are being proposed:

- a. to amend a portion of the LakeView East Neighborhood Plan 12 of Appendix 9-3 for the properties at the southwest corner of STH 31 and STH 165 (**See Exhibit 1 of Plan Commission Resolution #14-10**);
- b. to amend the Village 2035 Land Use Plan Map 9.9 by changing a portion of the property located south of STH 165 and east of 72<sup>nd</sup> Avenue (Tax Parcel Number 92-4-122-281-0115) owned by FIAAT Investments LLC from the General Industrial land use designation to the Community Commercial land use designation and changing the properties located south of STH 165 and west of STH 31 (Tax Parcel Number 92-4-122-272-0475) owned by Richard and Dimitra Priebus, (Tax Parcel Number 92-4-122-272-0401) owned by John Felinski, a portion of the property located south of STH 165 and east of 72<sup>nd</sup> Avenue (Tax Parcel Number 92-4-122-281-0115) and all of Tax Parcel Number 92-4-122—281-0116 owned by FIAAT Investments LLC from the General Industrial land use designation to the Community Commercial with an Urban Reserve land use designation (**See Exhibit 2 of Plan Commission Resolution #14-10**); and
- c. to update Appendix 10-3 of the Village 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

A Zoning Map Amendment to rezone the property owned by FIAAT Investments LLC will be discussed and considered so that the 2035 Land Use Plan and the Zoning Map are consistent. The eastern properties will need to amend the Land Use Plan and the Zoning Map prior to their development.

3. **Conceptual Plan (Exhibit B):** The Conceptual Plan includes the site plan for the proposed Kwik Trip development and a proposed layout for the entire future unified business area at the southwest corner of STH 165 and STH 31.

The plan proposes commercial uses consistent with the B-2, Community Commercial District (except for the 52,000 square foot office/commercial building which shall be modified to two (2) 25,000 square foot buildings). The plan also includes 4 additional office/commercial buildings ranging in size from 6,000 square feet to 20,000 square feet. The future development of the lots and structures shall comply with the ordinances in effect at the time of construction.

Detailed Site and Operational Plans are required to be submitted for review and approval prior to any development pursuant to the requirements for the Village Zoning Ordinance. Also, depending on the use proposed, the occupants may be required to obtain a Conditional Use Permit along with Site and Operational Plan approval from the Plan Commission and may require special licenses by the Village. In addition, the Village will require that a Digital Security Imaging System (DSIS) be installed for each use throughout this commercial development with exterior cameras in accordance with the security requirements of Chapter 410 of the Village Municipal Code.

The plans provide for interconnection of driveways for vehicular traffic since there is somewhat restricted vehicular access to STH 165 and STH 31. Currently there is one existing residential access to STH 165 and one residential access on STH 31 per the recorded WI DOT plat. At this time the Conceptual Plan shows a right in/right out to STH 31 since there is no median opening. Any proposed commercial driveways proposed on STH 31 or STH 165 shall be approved and permitted by the WI DOT.

Public sidewalks are shown around the perimeter of the development within the right-of-way of STH 31 and within the lots adjacent to STH 165 and 72<sup>nd</sup> Avenue

since there is not enough room in the existing right-of-way. In addition a sidewalk is shown north of the existing storm water facility connecting the sidewalk from STH 31 and 72<sup>nd</sup> Avenue. Easements will need to be dedicated for the public sidewalk on private property in the CSM. In addition, the Conceptual Plan shall be revised with a note to indicate that a series of site-internal concrete sidewalks that interconnect each of the proposed buildings and connections to the perimeter sidewalks shall be provided.

The southernmost 6,000 square foot office building is located within a wooded lot that is currently zoned C-2, Upland Conservancy District. This parcel may likely be rezoned into the B-2, Community Commercial District; however, the site shall not be clear cut and the site shall incorporate and protect as many trees as possible. As noted on the plans, "A detailed tree survey showing the types of trees, their condition and their sizes over six (6) inches in diameter shall be provided on a plat of survey to the Village prior to the consideration of locating any development. The tree survey shall dictate where and how large that development can be on the property to preserve as many quality trees as possible and as agreed to by the Village. Tree Preservation, Access and Maintenance Easements will be required to protect the trees."

The western portion of the area is located within the LakeView Corporate Park and is subject to the Declaration of Restrictions of the Corporate Park. In addition, written approval from the LakeView Commercial Owners Association is required for any development adjacent to 72nd Avenue prior to development. In addition, a Sub-Association and possible Development Agreement or separate recorded easements may be required for any required shared private improvements or public improvements (sewer, water, storm water, signage and cross access) among the adjacent properties. As land develops, separate Cross Access and Maintenance Easement documents shall be prepared, executed and recorded for the properties.

Sewer, water and storm water facilities have been shown on the Conceptual Plan. All uses shall be served by municipal sewer and water proposed to be located within the common vehicular access areas throughout the area. There are five (5) storm water facilities that will service the development of this area. A portion of the storm water is directed to the existing storm water facility north of STH 165, a portion is directed to the existing storm water facility west of the Pleasant Prairie Renaissance School and a portion to the existing storm water facility south (all three (3) storm water facilities are located within LakeView Corporate Park). Two (2) new storm water facilities are proposed adjacent to STH 31 to accommodate the future development along STH 31. At the time of development detailed engineering plans will be required as part of the Site and Operational Plan submittal.

4. **Certified Survey Map (Exhibit C):** The CSM proposes to subdivide the property at the southeast corner of STH 165 and 72<sup>nd</sup> Avenue for commercial development. Lot 1 is proposed to be 2.37 acres with 266.78 feet of frontage on STH 165 and 388.86 feet of frontage on 72<sup>nd</sup> Avenue. The parcel is proposed to be developed with a Kwik Trip gasoline dispenser and convenience store with a detached car wash facility. Lot 2 is proposed to be 3.51 acres with over 500 feet of frontage on 72<sup>nd</sup> Avenue. The **attached** draft Cross Access and Maintenance Easement shall be finalized, executed and recorded as references on the CSM prior to issuance of building permits for the Kwik Trip facility (See **Exhibit D**).
5. **Zoning Map Amendment (Exhibit E):** Lot 1 of the proposed CSM is proposed to be rezoned from M-2, General Manufacturing District to the B-2, Community

Commercial District for the development of the Kwik Trip. Lot 2 of the proposed CSM is proposed to be rezoned from the M-2, General Manufacturing District to the B-2 (UHO), Community Commercial District with an Urban Landholding Overlay District. The UHO designation is being placed on Lot 2 since no specific user has been identified at this time. The Zoning Map Amendment is consistent with the land use plan map as being amended and discussed earlier.

6. **Conditional Use Permit including Site and Operational Plans and Digital Security Imaging System (DSIS) Agreement and Easements:**

- a. The petitioner is requesting approval to develop a 2.4 acre site (Lot 1 of the proposed CSM) to construct a 5,700 square foot Kwik Trip gasoline dispenser and convenience store and a 2,790 square foot car wash facility at the southeast corner of STH 165 and 72<sup>nd</sup> Avenue. (See **Exhibit F** for a copy of the application, plans and related documents.)
- b. The property is proposed to be rezoned from the M-2, General Manufacturing District to the B-2 Community Business District as previously discussed. The B-2 District allows, with approval of a conditional use permit, a gasoline dispenser with a car wash.
- c. The hours of operation, (when the public is allowed to enter or remain on site for business purposes), is proposed from 5:00 a.m. to 12:00 midnight. (This complies with the B-2 District requirements.) These regulations prohibit 24 hour pumps and car wash.
- d. Pursuant to the B-2 District and liquor license requirements, the business is allowed to be open until midnight; however, Class A Beer is only allowed to be sold from 8:00 am to midnight and Class A Intoxicated Liquor is only allowed to be sold from 8:00 am to 9:00 p.m. A liquor license shall be requested and obtained from the Village Board.
- e. The owner shall obtain and maintain all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies. Contact the Village Clerk Jane Romanowski for liquor or tobacco license applications and to discuss the process to obtain said licenses. Contact the Kenosha County Health Department regarding food related licenses.
- f. Pursuant to the B-2 District requirements, deliveries and shipments or any other activities outside the principal building that might cause a disturbance to neighboring areas (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, is allowed only from 6:00 a.m. to 10:00 p.m. **The staff would support as a condition in the Conditional Use Permit to allow deliveries to begin at 4:00 a.m. The hours recommended by staff for deliveries 4:00 a.m. to 10:00 p.m.**
- g. As a condition of this Conditional Use Permit, Kwik Trip site shall be equipped with fully functioning and operational security cameras outside of the building covering each entrance and exit, all public areas including the dispenser area, the parking lots and the driveway entrance to the site with a Digital Security Imaging System (DSIS) in accordance with the requirements of Chapter 410 of the Village Municipal Code. The DSIS Agreement will require the following:

- i. The IR security cameras shall be inaccessible to employees. Conspicuous signs shall be posted at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times and the Village of Pleasant Prairie Police Department shall be promptly provided any requested recorded video. The recording shall be kept in an archive for a minimum of two (2) weeks and the Pleasant Prairie Police Department shall have remote web access to the system to monitor and download video. (See **attached** DSIS Agreement and DSIS Easement for complete conditions-**Exhibit G**.)
- ii. The parking lot, gas dispensers area, building entrances, driveway access and area between the buildings shall be illuminated in such a manner to provide sufficient lighting for the public's safety and for the security cameras to operate effectively per the Village's satisfaction.
- iii. A clear and unobstructed view of the cash registers and transaction areas shall be maintained from the internal 30-foot wide on-site circulation access roadway. Note that no more than 30% of the total window area shall be blocked by signage. Products, displays and equipment shall not block viewing to the cash register check out area.
- iv. The building shall be equipped with and shall use an inaccessible drop safe.
- v. Between 10:00-12:00 p.m. and 5:00-7:00 a.m. at least two (2) employees shall be working on-site unless the business has taken measures to protect a lone clerk such as the installation of bullet resistant glass or other equipment as approved by the Police Department, making the lone employee inaccessible.
- vi. Installation and full operation of a hold-up alarm, which is monitored by a UL listed central station with functioning telephone service, shall be used at the station/store.
- vii. The cash register shall not be left unattended when the convenience store is open to the public.
- viii. A height strip shall be located at each doorway entering and exiting the convenience store.
- h. Pursuant to the application 27 employees (11 part time and 16 full time employees) will be employed at this facility. The facility will operate in three (3) shifts with 5 employees per shift with the maximum number of employees on-site at any time of the day would be eight (8).
- i. Gasoline station with a convenience store requires a minimum of five (5) spaces per each 2,000 square feet of gross floor area (15 spaces) plus 1 space for each employee on the largest shift (8 spaces) plus the required handicapped accessible parking spaces pursuant to the state code. Therefore a minimum of 30 parking spaces (not including the spaces by the fueling pumps) plus the required handicapped accessible parking spaces are required.
- j. The plan indicates 30 parking spaces including two (2) handicapped accessible parking spaces adjacent to the main entrance. The parking on-site provides two (2) less parking spaces than required; however, this parking

does not include the spaces at the pumps which can accommodate an additional 13 cars; therefore the Village staff recommends that the parking as shown is acceptable.

- k. Pursuant to the application, it is anticipated that one ( 1) fuel truck per day, one (1) grocery truck per day and outside delivery of one (1) per day but never on weekends.
  - l. The plans show two (2) exterior Ice Storage Bins along the east side of the building. Section 420-119 K.(4) of the Zoning Ordinance limits outside storage of these items to: (a) A maximum of one, eight-foot-by-six-foot-by-three-foot [(L x H x D) maximum size] outdoor ice storage bin per parcel, and (b) A maximum of one, eight-foot-by-six-foot-by-four-foot [(L x H x D) maximum size] outdoor liquid propane (LP) storage cage shall be allowed per parcel. **The Village staff would support as a condition of the conditional use permit that two (2) ice storage bins be allowed outside provided that each one does not exceed the maximum size noted above for ice storage bins. The plans also show one (1) LP storage cage in the front of the store which is allowed per the above size requirements. However, the outside video machine shall be placed inside the building as noted on the plan set (not outside). No other items/equipment/merchandise shall be stored or be placed outside.**
7. The property owner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on May 9, 2014 and notices were published in the Kenosha News on May 9, 2014 regarding the public hearing for the Comprehensive Plan Amendments and on May 26 and June 2 related the other public hearings including the conditional use permit. In addition, the petitioner received a copy of this Village staff report via e-mail on June 6, 2014.
8. 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 and information presented at the public hearing that the project as planned, will not violate the intent and purpose of all Village Ordinances and meets the minimum standards for granting of a Conditional Use Permit. In addition, the Plan Commission shall not approve any site and operational plan application without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements and will comply with all other requirements of applicable federal, state or local statutes, regulations, ordinances or other laws relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, stormwater management, streets and highways and fire protection.

## RECOMMENDATIONS

**Item B: Recommendation:** Village staff recommends approval of **Plan Commission Resolution #14-10** to approve amendments to the Comprehensive Plan as outlined in said Resolution. In addition, the following changes shall be made to the Neighborhood Plan Exhibit 2 of the Resolution prior to the resolution being executed:

1. The 52,000 square foot office/commercial building shall be revised to include two 25,000 square foot office/commercial building. The B-2 District does not allow for buildings to exceed 25,000 square feet.
2. Revised the Note on the plan to read: "A detailed tree survey showing the types of trees, their condition and their sizes over six (6) inches in diameter shall be provided on a plat of survey to the Village prior to the consideration of locating any development. The tree survey shall dictate where and how large that development can be on the property to preserve as many quality trees as possible and as agreed to by the Village. Tree Preservation, Access and Maintenance Easements will be required to protect the trees."

**Item C: Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Conceptual Plan** as subject to the above comments and the following conditions:

1. The following changes shall be made to the Conceptual Plan and three (3) revised full size plans, an 11" by 17" plan and a pdf of the revised plans shall be submitted to the Village:
  - a. The 52,000 square foot office/commercial building shall be revised to include two 25,000 square foot office/commercial building. The B-2 District does not allow for buildings to exceed 25,000 square feet.
  - b. Public sidewalks are shown around the perimeter of the development within the right-of-way of STH 31 and within the lots adjacent to STH 165 and 72<sup>nd</sup> Avenue since there is not enough room in the existing right-of-way. In addition a sidewalk is shown north of the existing storm water facility connecting the sidewalk from STH 31 and 72<sup>nd</sup> Avenue. Note on the plans that these are "Public 5 foot wide concrete sidewalks"
  - c. Note on the Plan that future development shall show a series of site-internal concrete sidewalks that interconnect each of the proposed buildings.
  - d. The Plan shall show concrete sidewalks that connect from the site perimeter 5 foot sidewalks located along STH 165, 72<sup>nd</sup> Avenue and STH 31 to each of the proposed buildings.
  - e. Revised the Note on the plan to read: "A detailed tree survey showing the types of trees, their condition and their sizes over six (6) inches in diameter shall be provided on a plat of survey to the Village prior to the consideration of locating any development. The tree survey shall dictate where and how large that development can be on the property to preserve as many quality trees as possible and as agreed to by the Village. Tree Preservation, Access and Maintenance Easements will be required to protect the trees."
2. The Conceptual Plan approval will be valid for a period of one (1) year (until June 16, 2015).
3. Any proposed commercial driveway on STH 31 (as shown on the Conceptual Plan) must be first approved by the WI DOT. At this time, one (1) residential access point

is allowed per the recorded WI DOT plat. Conceptually, a commercial right-in/right-out is shown at this location since there is no median opening.

4. Future access from the Kwik Trip property to the east shall be installed with asphalt and curb and gutter by Kwik Trip, at Kwik Trip's expense, within 120 days of written notice from the Village. The **attached** draft Cross Access and Maintenance Easement document shall be finalized, executed and recorded for the properties prior to issuance of building permits for the Kwik Trip facility. (See **Exhibit D**)
5. At the time the eastern lots are proposed to be developed along STH 31, detailed landscape plans will be required, berms and significant landscaping will likely be required to screen garbage dumpster enclosures from STH 31.
6. The future development of the lots and structures shall comply with the ordinances in effect at the time of construction. In addition, detailed Site and Operational Plans are required to be submitted for review and approval prior to any development pursuant to the requirements for the Village Zoning Ordinance. Also, depending on the use proposed, the occupants may be required to obtain a Conditional Use Permit along with Site and Operational Plan approval from the Plan Commission and may require special licenses by the Village.
7. A Digital Security Imaging System (DSIS) shall be installed for each use throughout this commercial development with exterior cameras in accordance with the security requirements of Chapter 410 of the Village Municipal Code. A DSIS Agreement and recorded Access Easement will be required.
8. All access and grading impacting the adjacent State Highways must be approved with permits granted by the Wisconsin Department of Transportation. Copies of State permits shall be provided to the Village prior to issuance of Village permits.
9. All sides of the proposed office/commercial buildings shall be designed and constructed in a manner that is architecturally and aesthetically pleasing.
10. Building architectural designs, elevations and sample materials will be required to be approved by the Plan Commission as part of the detailed Site and Operational Plans.
11. Depending on the future uses of the proposed buildings, the total number of parking spaces may need to be adjusted accordingly.
12. Attractive commercial light pole standards/LED fixtures similar in style to the Kwik Trip lights shall be provided in the parking lot at a maximum height of 20 feet from grade with the fixtures style and color to compliment the building. The concrete bases of the light standards shall not exceed 18 inches above grade. All concrete light pole bases shall be placed within landscaped areas or islands. As a unified development all of the parking lot lights shall be the same style, height, color and size for the entire unified business development area.
13. All exterior lighting shall be of the same LED color and brightness. Parking lot lighting shall be illuminated to provide sufficient lighting for the public's safety and the effective operation of the security cameras - per the Village's satisfaction.
14. All lighting standards, fixtures and bases shall be inspected on a yearly basis and shall be maintained in good working order and repaired or replaced when paint has chipped or rust appears. All bolts on the light standard bases shall be capped or covered.
15. Fountain aerators shall be installed in all commercial storm water retention ponds.



16. Cross-Access, Maintenance Easements shall be dedicated and recorded for the shared access between lots/parcels on the CSM or separate document. All easements shall be reviewed and approved by the Village.
17. All commercial buildings will be required to install a sanitary sewer sampling manhole per the Village specifications. The location of the sampling manholes and details shall be shown on the Site and Operational Plans required for each site. The sampling manhole shall not be located in grass or landscaped area but rather in the parking lot- not in a parking space. Contact the Village Engineer to confirm an approved location.
18. All downspouts for all proposed buildings within the development shall be interconnected to the private storm sewer system and cut off and shown on the required Site and Operational Plans.
19. Each handicapped parking space shall be appropriately signed (locations to be reviewed with planning staff) and painted on the pavement pursuant to ADA requirements prior to occupancy of any development site.
20. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.
21. Real Estate Marketing Signs and/or Temporary Development Signs are permitted only by permit pursuant to the requirements of Article X of Chapter 420.
22. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
23. Municipal connection fees shall be paid prior to the connections of each building to the sanitary sewer system.
24. Development shall be in compliance with the Village Land Division and Development Control Ordinance, the Village Municipal and Zoning Codes, the Village Construction Site Maintenance and Erosion Control Ordinance and the State of Wisconsin Statutes.
25. Impact fees pursuant to Chapter 181 of the Village Code are required to be paid at time of building permit for each development site.
26. Written approval from the LakeView Commercial Owners Association is required for any development adjacent to 72nd Avenue. A copy of the written approval shall be provided to the Village prior to issuance of any permits.
27. A Sub-Association and possible Development Agreement may be required for any required shared private improvements or public improvements (sewer, water, storm water, signage and cross access) among the adjacent properties.
28. All public improvements, sidewalks, street trees, municipal sewer and water will require the developer to enter into a Development Agreement with the Village for the installation of these improvements prior to development of those properties.

**Item D: Recommendation:** Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the Certified Survey Map subject to the following conditions:

1. The **attached** changes to the CSM. Additional easement language will be forthcoming related to the private sanitary sewer easement. (See **Exhibit C**).
2. The **attached** draft separate Cross Access and Maintenance Easement shall be finalized, executed and recorded as referenced on the CSM prior to issuance of

permits for the Kwik Trip facility. (See **Exhibit D**).

3. Any outstanding taxes or special assessments shall be paid prior to recording the CSM.
4. The CSM shall be finalized, executed and recorded at the Kenosha County Register of Deeds Office and a recorded copy of the CSM shall be provided to the Village within 30 days of Village Board approval and prior to issuance of building permit.

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

**Item F: Village Staff Conclusions and Recommendation:**

***The Village staff has determined that based upon the foregoing information presented in the application and at the public hearing that the project (Kwik Trip development on Lot 1 of the proposed CSM) meets the following standards for granting a Conditional Use Permit and Site and Operational Plan approval in that the project:***

- does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;
- does not impair an adequate supply of light and air to the adjacent properties;
- does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department;
- does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- has no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use;
- the proposed and applied for use on this particular parcel is not inherently inconsistent with either the B-2, Community Business District or the adjoining Districts; and
- the proposed and applied for use will comply with all applicable Village ordinance requirements and all other applicable federal, state or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, streets and highways and fire protection.

**Based on the foregoing information, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for the granting of the Conditional Use Permit including Site and Operational Plans and the DSIS Agreement and Easements as specified above for the Kwik Trip development; then the approval is subject to compliance with the above comments and the following conditions**

1. The Plans have been reviewed for conformance with generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all State and local codes, ordinances, and procedures. Modifications to the plans, etc. may be required should errors or

changed conditions be found at a future date and detailed engineering plans are prepared and reviewed. **The following changes shall be made to the Site and Operational Plans and three (3) revised plans shall be submitted for final staff review and approval. To expedite the review process, return this Village Staff Memorandum with notations in the margin for each comment (different color) which explains where the comment has been addressed on the Plan sheet or that you will comply with the statement.**

- a. On Sheet 1 correct the email address for Jean Werbie-Harris jwerbie-harris@plprairiewi.com.
- b. Add Sandro Perez, Building Inspection Superintendent, 9915 39<sup>th</sup> Avenue, Pleasant Prairie WI 53158 262-694-9304 sperez@plprairiewi.com to the cover sheet.
- c. Add Steve Wlahovich, Village Engineering Technician 9915 39<sup>th</sup> Avenue, Pleasant Prairie WI 53158 262-925-6767 swlahovich@plprairiewi.com to the cover sheet.
- d. Add a note to the plans that states, "Future access shall be installed with asphalt and curb and gutter by Kwik Trip, at Kwik Trip's expense within 120 days of written notice from the Village."
- e. Reconfigure the storm sewer system so MH 32 and the stub to the south for future development are located outside the right-of-way on private property. This storm segment shall be privately owned and maintained. Easements shall be provided over the common storm sewer systems which will serve multiple lots. This easement is being added to the CSM.
- f. Provide a ramp for the bike rack at the northwest corner of the convenience store
- g. On the Title Sheet (1 of 24), in addition to providing the parcel size in square feet, also identify the parcel size in acres.
- h. Plan Sheet SP1 indicates a 9 foot maneuvering lane/curb & gutter setback to the south property line, whereby a minimum 10 foot setback is required. The plans shall be revised. Additional land may need to be acquired to meet this setback.
- i. The Plans shall show a concrete sidewalk that connects from the 5 foot sidewalks located along 72<sup>nd</sup> Avenue to the convenience store building. The ideal location for this short segment of sidewalk would be from the 72<sup>nd</sup> Avenue sidewalk through the parking lot peninsula located on the south side of the northern driveway.
- j. There shall be no exterior shopping cart storage.
- k. Provide a detail of the proposed black, gloss bollards to be installed along the north and west sides of the convenience store.
- l. Plan Sheet A200 (9 of 24) – The Ext. Color Sched. chart indicates a "Metal Roof", whereby the convenience store building is to have a shingled roof. Correct accordingly.
- m. Plan Sheet 15 of 24 – Identify the construction material for the dumpster enclosure gates (no wood)--composite material shall be used for the gate doors.

- n. Revise the plans to show the address numerals mounted on the stucco above the door rather than vinyl letters on the glass door.
- o. Plan Sheets SP1, SP3, SP6, A102, & A200 (Sheets 9 & 10 of 24) – The plans depict two (2) exterior Ice Storage Bins, whereby Section 420-119 K.(4) of the Zoning Ordinance limits outside storage of these items to: (a) A maximum of one, eight-foot-by-six-foot-by-three-foot [(L x H x D) maximum size] outdoor ice storage bin per parcel, and (b) A maximum of one, eight-foot-by-six-foot-by-four-foot [(L x H x D) maximum size] outdoor liquid propane (LP) storage cage shall be allowed per parcel. **The Village staff would support as a condition of the conditional use permit that two (2) ice storage bins be allowed outside provided that each one does not exceed the maximum size noted above for ice storage bins. The plans also show one (1) LP storage cage in the front of the store which is allowed per the above size requirements. However, the outside video machine shall be placed inside the building as noted on the plan set (not outside). No other items/equipment/merchandise shall be stored or be placed outside.** Dimension the size of the ice and LP storage bins/cages and remove the outside video machine on the plans.
- p. The outside video machine is not allowed outside of the building shall be inside as noted. Remove from all plan sheets.
- q. A note on Plan Sheet A200 (Sheet 9 of 24) states: "Variance requested for two ice vendors". Remove this note.
- r. The Primary Monument Sign (corner of STH 165 & 72<sup>nd</sup> Ave.) shall include the street address of the convenience store building, including the street number(s) and the name of the street. The address may be placed on the base of the sign a minimum of 18 inches off the ground. The address shall be a minimum of 3 inch letters.
- s. The landscaping Plan shall be revised to include the following:
  - i. Flower planters shall be placed in front of the building in lieu of foundation plantings.
  - ii. Landscaping along the south property line.
  - iii. Berming and additional landscaping along the north property line adjacent to STH 165.
  - iv. A tree shall be planted in the turf area island at the southeast corner of the building.
  - v. Add the following note on the plan. The street trees adjacent to the site on STH 165 and 72<sup>nd</sup> Avenue shall be maintained by the property owner. Any street trees that die (theses are currently Ash trees) shall be replaced with a minimum 3" diameter Village approved street trees.
  - vi. Relocated the tree from the future access to the east.
- t. The required Knox box shall be recessed mounted in the building. Note and show on the plans.
- u. The photometric plan shall be included in the plans set. The following comments related to the lighting plan:

- i. The lighting on north side of property does not seem evenly distributed along with some dark spots. Revise the plans
  - ii. Provide additional lighting (wall mounted) between the store and the car wash.
  - iii. Concrete bases for the parking lot lighting shall not exceed 18 inches and the maximum height of the light shall be 20 feet from grade. The concrete bases shall not be painted.
  - iv. The light pole bolts shall be capped with a cove box to match the poles. Revise the plans
  - v. Note the painted color of the light poles on the plans. The concrete bases shall not be painted.
  - vi. The parking lot lighting shall be illuminated to provide sufficient lighting for the public's safety and the effective operation of the security cameras – per the Village's satisfaction.
  - vii. Recessed lighting shall be required in the canopy and building soffits with LED lighting recommended. There shall be no glare, no distraction and no light spillover onto the adjacent roadways or properties.
  - viii. All exterior lighting shall be of the same color and brightness.
  - ix. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin
2. The Site and Operational Plan application is missing the following information that shall be submitted with the revised plans:
- a. The maximum number of gallons/minute of water expected to be used per day not an average.
3. Compliance with the **attached** conditions of the memorandum dated May 4, 2014 and updated June 6, 2014 from the Village Fire & Rescue Department. **Pursuant to condition #2 a letter shall be submitted to the Fire & Rescue Department prior to obtaining building permits stating that the project will comply with all requirements of this memo. A copy of this letter shall also be provided to the Community Development Department.**
4. Building Inspection Comments:
- a. The Building plans are based upon compliance with SPS 360-366, IBC 2009 Commercial Building Code of the State of Wisconsin.
  - b. All walls that are designated as smoke or fire walls shall be labeled as such above the ceiling line for inspection.
  - c. Lighting requirements – per State code.
  - d. All fire sprinklers are required for review, approval and permit from the Fire & Rescue Department. In addition, the selection and location of the fire extinguisher(s) and/or fire alarms requires Fire & Rescue approval. Contact the Pleasant Prairie Fire & Rescue Department at (262) 694-8027.
  - e. Submit an egress plan with exit signs and EM lighting throughout the path of egress.

- f. This parcel and building must comply with all requirements of ANSI 117.1 2003 for BARRIER-FREE DESIGN.
  - g. Permits are required for HVAC, Plumbing and Electrical (high and low voltage (i.e. data, phone, music)) prior to any work commencing. The electrical contractor (high voltage) must be licensed by the State to apply for the electrical permit.
  - h. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, and a Test & balance report to the Building Inspections Department prior to the final inspection with the Village Buildings and Fire departments.
  - i. A copy of the approved plans and letters must be on site to complete the final inspection for occupancy. Occupancy will not be permitted in absence of these items.
  - j. SPS361.31(4) requires that any deviation from the approved plans must be reviewed and approved prior to installation or construction. A copy of approved plans, specifications, and this letter shall be on site during construction and open to inspection by authorized representatives of the Department of Safety and Professional Services and Village of Pleasant Prairie inspectors.
5. Prior to issuance of permits, approval of the Comprehensive Plan Amendment, CSM and Zoning Map Amendment to be considered by the Village Board on June 16, 2014.
  6. Prior to issuance of permits the CSM shall be finalized, executed and recorded at the Kenosha County Register of Deeds Office.
  7. A Digital Security Imaging System (DSIS) is required to comply with Chapter 410 of the Village Municipal Code for this development. The DSIS Agreement and Easement shall be executed prior to issuance of permits. **Attached** is the final draft agreement and easement (See **Exhibit G**). The following shall be submitted for this Agreement and Easement to be finalized conditions related specifically to the DSIS Agreement and Easement:
    - a. The Security contract and specifications shall be submitted for review by the Village IT Department for compliance with Chapter 410 of the Village Municipal Code. Upon approval by the IT Department a final signed contract shall be provided to the Village.
    - b. The owner is responsible for paying the required recording fees for the easement to be recorded at the Kenosha County Register of Deeds Office.
  8. Upon approval of the Site and Operational Plans and Conditional Use Permit, the Village staff will prepare a Conditional Use Grant Document that shall be executed by the Owner, recording and filing fees shall be paid to the Village for the Village to record said document at the Kenosha County Register of Deeds Office. This document shall be signed and returned to the Village prior to the issuance of any Village building permits for the project. This document shall be executed by the Owners of Lot 1 of the proposed CSM. **The name and title of the authorized person(s) who will execute the Conditional Use Permit so this document can be prepared.**

9. For security reasons, the Village requires the construction site to be surrounded with a temporary six (6) foot high chain link fence until verbal occupancy is granted. A fence permit is required for the temporary fencing.
10. **Upon approval of the revised Site and Operational Plans, and prior to the issuance of the required building, zoning and erosion control permits the following shall be submitted:**
  - a. The CSM shall be recorded and a recorded copy shall be provided to the Village.
  - b. The Cross Access Easement shall be finalized, executed and a recorded copy shall be provided to the Village.
  - c. The Conditional Use Document shall be executed by the property owner.
  - d. A pdf of the Final Site and Operational Plans.
  - e. The Commercial Building Permit applications (building, HVAC, plumbing, electrical etc.) and required State approved plans.
  - f. A Village Work in the Right-of-way Permit for all work proposed within 72<sup>nd</sup> Avenue.
  - g. An Erosion Control Permit Application and plans with a copy of the Wisconsin Department of Natural Resources N.O.I. [Note: The required \$2,000 street sweeping cash deposit shall be deposited with the Village. The street sweeping cash deposit is refundable, less 6% for administrative processing upon issuance of a Certificate of Compliance for the entire project, if the amount is not drawn upon by the Village in maintaining the adjacent roadways free from dirt, mud clumps and mud tracking during the construction process. Silt fence shall be installed and inspected prior to any work starting.]
  - h. A copy of the required WDOT permit for all work within the STH 165 right-of-way, including connection to the existing storm sewer.
  - i. Written approval of the Final Site and Operational Plans from LakeView Commercial Association including a copy of any variances.
  - j. Written approval shall be provided from the utility easement holder(s) for proposed grading, utility, and/or other work within easement limits.
  - k. The required compliance letter from the Village Fire Department—see condition # 3 above.
11. Impact fees shall be paid prior to issuance of the building permit. (Based upon \$1.94 per \$1,000 of valuation as determined by the Village Assessing Department's Marshall & Swift analysis).
12. Any fire sprinkler plans and all fire alarm installation plans are required to be submitted to, and reviewed by the Village Fire & Rescue Department and their Fire Safety Consultant (Separate Fees will apply).
13. **Prior to work commencing on the site, all required State and Village permits shall be issued. All required erosion control measures, shall be in place on the site prior to construction start. Also, a pre-construction meeting, which includes contractors, architect and engineers, shall be scheduled (contact the CD Department –Jean Werbie-Harris for available dates) and held at the Village Offices. The preconstruction meeting shall be moderated and**

**minutes shall be taken by the Design Engineer of record. Minutes shall be distributed within 7 days. A sample agenda can be provided by the Village CD Department (Jean Werbie-Harris).**

14. **After the installation of the footing and foundations and prior to setting the walls, an as-built survey as stamped by a Wisconsin Registered Land Surveyor shall be submitted to the Village Building Inspection Department to verify that the building meets all of the required setbacks.**
15. General Comments and specific conditions to be included in the Conditional Use Permit
  - a. All plans shall conform to applicable Village ordinance requirements, and to all other applicable local, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
  - a. The hours of operation, (when the public is allowed to enter or remain on site for business purposes), is proposed from 5:00 a.m. to 12:00 midnight. These regulations prohibit 24 hour pumps and car wash.
  - b. The hours for deliveries and shipments or any other activities outside the principal building that might cause a disturbance to neighboring areas (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, is allowed only from 4:00 a.m. to 10:00 p.m.
  - c. Future Access shall be installed with asphalt and curb and gutter by Kwik Trip, at Kwik Trip's expense within 120 days of written notice from the Village.
  - d. Compliance with the Digital Security Imaging System Agreement.
  - e. The security cameras shall be inaccessible to employees. Conspicuous signs shall be posted at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times and the Village of Pleasant Prairie Police Department shall be promptly provided any requested recorded video. The recording shall be kept in an archive for a minimum of two (2) weeks and the Pleasant Prairie Police Department shall have remote web access to the system to monitor and download video.
  - f. The parking lot, gas pumping area, building entrances, driveway access and area between the buildings shall be illuminated in such a manner to provide sufficient lighting for the public's safety and for the security cameras to operate effectively per the Village's satisfaction.
  - g. A clear and unobstructed view of the cash registers and transaction areas shall be maintained from the internal 30-foot wide on-site circulation access roadway. Note that no more than 30% of the total window area shall be blocked by signage. Products, displays and equipment shall not block viewing to the cash register check out area.
  - h. The building shall be equipped with and shall use an inaccessible drop safe.
  - i. Between 10:00-12:00 p.m. and 5:00-7:00 a.m. at least two (2) employees shall be working on-site unless the business has taken measures to protect a



- lone clerk such as the installation of bullet resistant glass or other equipment as approved by the Police Department, making the lone employee inaccessible.
- j. Installation and full operation of a hold-up alarm, which is monitored by a UL listed central station with functioning telephone service, shall be used at the station/store.
  - k. The cash register shall not be left unattended when the convenience store is open to the public.
  - l. A height strip shall be located at each doorway entering and exiting the convenience store.
  - m. All hard surfaced areas including the parking lot areas, drive lanes, paved areas adjacent to the pumps, sidewalks, etc. shall be clean, neat and free from pot holes or other cracks which present a safety risk to the pedestrians or traveling public. The hard surface areas of the site shall be maintained and free of any debris or potholes which may cause distractions or damages to vehicles. All pavement markings shall be done in yellow or white reflective paint.
  - n. The facility shall operate in an organized, well-kept, clean, neat and professional manner. The inside of the store shall be maintained, painted, and clean for the public. Damaged or dirty walls, floors, coolers, bathrooms, racking, displays lighting, etc. shall be taken care of or repaired promptly. Mal-functioning gas pumps shall be repaired as soon as possible.
  - o. Landscaping on the site shall be installed, watered, weeded, trimmed and maintained in good condition at all times. Litter and debris shall be removed from the landscaping on a daily basis. Damaged, dying or dead plant material shall be removed and new plantings shall be installed on a regular basis. Mulch shall be raked in place on a regular basis and replaced yearly.
  - p. All signs shall comply with Article X of Chapter 420 of the Village Municipal Code. The signs shall not be located within any Village Easement but may be allowed within a Utility Easement with written approval from We Energies. A permit is required to be issued prior to installation for most signs including the primary monument sign, on-site directional signs and wall signs.
  - q. The following types of signs are prohibited and shall not be installed. For a complete listing of prohibited signs refer to the Article X of Chapter 420 of the Village Municipal Code.
    - i. Any sign with flashing or pulsating lights.
    - ii. Any inflatable sign, including but not limited to tethered balloon signs or other gas-filled figures.
    - iii. Any temporary, spring-action metal advertising sign used, for example, to advertise cigarette or gasoline prices or food items for sale.
    - iv. Any spotlights used as visual attention-getters.
    - v. Banner signs affixed to the buildings landscaping or canopy poles, except for 21 days for the grand opening. [Note: A permit is required for a grand opening sign.]

- vi. Strings of lights, tinsel, pennants, pinwheels or other similar devices hanging between two points or attached to light poles, cars, landscaping, canopies, bollards, or structures on the property.
- vii. Advertising signage on, banded to or affixed to the gas pumps or lights.
- viii. Advertising signage affixed to or painted on the bollards, picnic tables, lighting, landscaping, building, car wash, picnic areas, canopy, garbage or recycling cans, painted on the pavement.
- ix. A-frame advertising signs in the parking lot areas or on the sidewalk.
- r. All signs shall be in good working order, properly maintained, and repaired as needed, painted and well-kept.
- s. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.
- t. Downspouts shall be painted the same color as the adjacent brick to blend in with the building and directly tied underground into the on-site storm sewer system and not be discharged onto existing pavement or grass areas.
- u. No HVAC equipment or vents shall be located on or shall protrude through the roof, except small utility vent pipes which will be painted the same color to match the roof.
- v. There shall be no outside sale or display of merchandise, except for the two (2) ice dispensers not to exceed eight-foot-by-six-foot-by-three-foot [(L x H x D) per ice storage bin and one (1) LP dispenser not to exceed eight-foot-by-six-foot-by-four-foot [(L x H x D)]. Any ice or LP dispensers/cabinets shall be maintained (not rusted in appearance) and shall not block any windows or doorways. No other items/equipment/merchandise shall be stored or be placed outside.
- w. No merchandise shall be stacked or piled inside the store in front of any windows.
- x. Only typical household cleaners used in the maintenance of the business in order to clean the food preparation and service areas, floors and bathrooms. The only waste that is disposed of at the site is spoiled food and drink products, grey water waste and sanitary waste from the bathrooms.
- y. The owner shall obtain and maintain all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies. Copies of all licenses shall be provided to the Village.
- z. The use, operations, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved Site and Operational Plans, the Conditional Use Permit, Liquor and Tobacco Licenses and all other applicable provisions of the Village Municipal Code and all other applicable Village, County, State Building Codes, Fire & Rescue Ordinances and national and federal regulations.

- aa. The use, operations, site, building and structures shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the Performance Standards set out in Section 420-38 of the Village Zoning Ordinance.
  - bb. The site, building and garbage dumpster structure shall be maintained in a clean, neat, presentable, aesthetically pleasing, odor-free, structurally sound and nonhazardous condition inside and outside of the store at all times. All litter and debris outside of the structures shall be promptly removed on a daily basis. The garbage dumpster enclosure doors shall not be left open and on garbage day they shall be promptly closed after the pick-up of garbage.
  - cc. At no time shall the site be used to sell or advertise any vehicles that are "for sale".
  - dd. No vehicular parking will be permitted in driveways, maneuvering lanes, fire lanes (including pumper pad space) or on landscaped areas.
  - ee. The development shall be used for any parking (neither overnight nor during the day) of junked/inoperable/dismantled/unlicensed vehicles. All junked/inoperable/dismantled/ unlicensed vehicles that are parked overnight will be issued citations.
  - ff. No trucks, trailers or cars shall be parked in a manner that would constitute advertising of a business on the properties.
  - gg. There shall be no outdoor storage of materials or equipment on this site, unless specifically approved by the Village.
  - hh. The use of semi-trailers, storage units, storage bins, compactors, roll-off storage devices (e.g. P.O.D.S., S.A.M.S.) or other trucks, for storage purposes is prohibited.
  - ii. No use shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
  - jj. No changes to the exterior site or building conditions shall be made without the Village's approval. Minor internal modifications/alterations shall be approved at the discretion of the Village Zoning Administrator; however, any addition, exterior alteration, or major interior alteration shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
16. The Conditional Use Grant shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the conditional use permit or zoning violation prosecution, or both.
17. The hours of construction activity, operating heavy machinery or equipment associated with the grading, erosion control device installation, and overall site development shall be limited to Monday through Friday from 7:00 a.m. to 9:00 p.m. and Saturday and Sunday from 7:00 a.m. to 6:00 p.m. Extended early summer hours - 6:00 a.m. start may be approved on a case by case basis.

18. Passenger vehicle parking for contractors may be allowed on 72<sup>nd</sup> Avenue south -- away from the entrance to the adjacent day care center/school. Need to discuss.
19. On-site (off-street) parking shall be designed to accommodate all construction related workers and site visitors. No on-street parking shall be allowed on STH 165 or STH 31.
20. The Village shall approve of the location of all construction trailers parked on the site during construction activities. No construction trailers shall be parked in any rights-of-way. All construction related signage shall be approved and permitted by the Village.
21. Prior to occupancy, each handicapped parking space shall be appropriately signed and painted on the pavement pursuant to ADA requirements.
22. Prior to occupancy, the DSIS shall be installed, inspected and operational. Note-a low voltage electrical permit is required prior to installation. Both the Village electrical inspector and IT Department will inspect installation of the DSIS.
23. Prior to occupancy all required signage shall be installed per the approved plans and written verification from the sign installer shall be provided to the Village that the signage has been installed in accordance with the approved signage plan.
24. Prior to occupancy all required landscaping shall be installed. In addition, a written letter of verification and certification shall be provided to the Village by the landscape designer that all building and signage landscaping has been installed in accordance with the approved landscape plan prior to the issuance of a certificate of compliance/occupancy.
25. If weather conditions prevent installation of all or portions of the landscape materials, the owner or occupant shall enter into a written agreement with the Village that specifies the date by which all approved landscaping shall be completed and grants the Village a temporary easement to complete the landscaping if not timely completed and shall deposit with the Village Clerk a cash deposit, an irrevocable letter of credit, or other financial assurance approved by the Zoning Administrator to ensure timely completion of all required landscaping; the amount of the financial assurance shall be equal to 110% of the contracted amount to complete the landscaping improvements in order to reasonably compensate the Village for the cost of completion of any landscaping improvements not completed within the specified time.
26. Prior to written occupancy, three (3) copies of a building and site as-built plan, stamped by a Wisconsin Registered Land Surveyor, shall be submitted to the Village to verify that all impervious surfaces meet the minimum setbacks and that all signage and pavement markings were installed per the approved site plans and the grading of the site was completed pursuant to the approved Site and Operational Plans. In addition, written certification from the signage companies that the signage was installed pursuant to the Village approved Signage Plans shall be submitted.
27. Prior to written occupancy, an as-built record drawing of graphical data of the new utilities shall be provided to the Village for the Village to update the Village's Geographic Informational System. Information shall conform to the Village's electronic format requirements. In addition, a paper copy prepared and stamped by the Engineer of Record for the project shall be submitted.

28. All Village fees incurred by the Village Engineer, Village Inspectors and/or expert Assistants required by the Village throughout the development process will be billed directly to the Developer. Such fees shall be paid in a timely manner.
29. All Village fees incurred by the Village Community Development Department and/or expert Assistants required by the Village throughout the development process will be billed directly to the Developer. Such fees shall be paid in a timely manner.



## VILLAGE STAFF MEMORANDUM

TO: Jean Werbie-Harris, Community Development Director  
FROM: Doug McElmury, Chief Fire & Rescue Department  
CC: Deputy Chief, Craig Roepke  
Lt. Thomas Clark, Fire & Rescue Department  
Peggy Herrick, Assistant Planner, Community Development  
SUBJECT: Review of the Site and Operational Plan for Kwik Trip  
DATE: 4 May 2014/Updated June 6, 2014

This is a review of the Site and Operational Plan for the Kwik Trip convenience store and car wash. The buildings have a proposed square footage of 5,700 and 2,800 S.F., and are located at STH 165 and 72<sup>nd</sup> Avenue.

The facilities are classified under Wisconsin Administrative Code, and the International Building Code, specifically Business Group B.

The Fire & Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually. The concerns of the Fire & Rescue Department are as follows:

1. **Distribution of Comments:** *the person who obtains the building permit to all Contractors and Subcontractors affected by this document shall distribute Copies of these comments. This document outlines critical times and deadlines. All recipients of this document need to become familiar with the contents.*
2. **Compliance:** A letter shall be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within this document.
3. In the event a conflict in code(s) is identified, or a conflict with the insurance carrier criteria occurs, the more stringent shall apply. In the event this conflicts with any codes adopted by the State of Wisconsin, the owner must petition the State directly for a variance. The Owner must demonstrate that they will provide materials or design equivalent to the code or that they will exceed the code when petitioning the State and or Village when applicable.



Upon review of the plans submitted, we have the following concerns:

- AED. Because of the occupancy of the building the owner shall install one public access Automatic External Defibrillator (AED) onsite for employee or customer use in the event of a sudden cardiac arrest. The Fire and Rescue Department can provide the training necessary to perform CPR and to operate the AED.
- Fire Alarm Control Panel: The main FACP will be placed in the fire sprinkler riser/fire pump room. Remote annunciator panel location(s) will need to be determined.
- Knox Boxes shall be recessed in the building. Knox boxes shall be provided at the main entrance and at the door nearest the sprinkler riser room.
- All outside doors shall have a lock and handle for access from the outside of the structure.
- Need to install the approved fire department connection; drawing SP-5 dated 4/4/14 is not correct.
- Fire safety system plans, such as fire sprinkler and fire alarm plans, will need to be submitted to the State of Wisconsin Department of Safety and Professional Services and also to this fire department for review. No installation of any fire protection system is allowed until a satisfactory review is obtained from both departments.
- Fire hydrants: Hydrants shall always be visible and accessible, in particular in any area where trailer trucks will be parked or staged. Hydrants must be placed no further than 350 feet apart as measured by normal access routes used by Fire and Rescue Department apparatus.
- Severe Weather Shelter: The architect shall identify the area within the building that can be used as a "severe weather shelter" or "safe haven" during severe weather such as a tornado. That area will be identified with signage.
- Attached shed will need to be fire sprinkler and alarm notification protected.
- Additional fire department comments may be forthcoming.

#### 4. Fire and Rescue Department Review and Comments:

##### A. Site and Operational Permits

1. Site accessibility
2. Pumper Pad
3. Fire hydrant spacing

## **B. Conditional Use and Operational**

- |                                |                                |
|--------------------------------|--------------------------------|
| 1. Fire alarm pull stations    | <b>Not shown at this time.</b> |
| 2. Emergency and Exit Lighting | <b>Not shown at this time.</b> |
| 4. Fire extinguishers          | <b>Not shown at this time.</b> |
5. **Plan Review, Permits and Fees:** The plans for the fire protection underground, aboveground and fire alarm system shall be submitted for review a minimum of four (4) weeks before installation is scheduled to begin. The Village will use an independent fire safety consultant for review of all fire protection plans submitted. A satisfactory review must be completed before any permits will be issued and before construction can begin.
6. **Insurance Carrier:** The Owner of this project shall submit to the insurance carrier for review the plans for both underground water distribution and fire protection prior to construction. The Fire & Rescue Department shall receive a copy of the comments when plans are submitted for review.
7. **The following information must be submitted with the sprinkler plans for review:**  
Building height:  
Number of stories/floors:  
Mezzanines:  
Clear space:  
Elevators:  
Hazard class:  
Commodity:  
Maximum storage height:  
Square footage, office space:  
Exterior storage:  
Fire protection:
8. **The following Fees and Permits are generated directly from the Fire & Rescue Department.**

**NOTE: Permits are required from the Fire & Rescue Department for the installation of water main in addition to any permits required by other Village of Pleasant Prairie Departments.**

Bulk Water

- Water Usage
- Fire Protection Plans for Underground and Aboveground
- Fire Alarm System Plans
- Kitchen Hood Systems Plans
- Occupancy Permit & Re-Inspection fees

An invoice for permit fees will be issued upon achieving a satisfactory review. Work cannot begin until all permits have been issued. A typical review turnaround is four weeks.



9. **Required Licenses:** A Wisconsin licensed fire protection contractor and Wisconsin licensed sprinkler fitters must install underground fire mains and aboveground fire protection. Periodic inspections of the job site will be made by fire inspectors to assure compliance.
10. **Pre-Construction Meeting:** A pre-construction meeting shall take place with the general contractor, the fire protection contractor, the Fire & Rescue Department and any other sub-contractor prior to the installation of any underground fire protection. The purpose of this meeting is to assure that the requirements of the State of Wisconsin that only a Wisconsin licensed sprinkler fitter shall perform the installation of all devices, etc. All parties will be asked to initial this document and or permit. Any violation of the installing requirements will be reported in writing to the State of Wisconsin Department of Safety and Professional Services.
11. **Site Access:** Access shall be provided around the perimeter of the site for all Fire Department apparatus, and must comply with the State of Wisconsin and the International Building Code, 2009 edition. A minimum wall-to-wall turning radius of 45'-0" shall be allowed for apparatus movement.
  - a. All exterior exit pathways as well as access to the Fire Pump Room shall have a hard surface, leading to a hard surface.
  - b. An exterior personnel door shall be located in close proximity to each fire sprinkler riser.
12. **Sprinkler System:** The building shall be equipped with an "automatic fire sprinkler system". The systems shall be designed and constructed to the current edition of NFPA 13, Automatic Fire Sprinklers and the Village of Pleasant Prairie Ordinance 180-16, Automatic Fire Sprinklers.
13. **Water Service:** If it is determined that the building will be serviced by a combination municipal water and fire protection main, that main must be sized by the fire protection (sprinkler) contractor. No main is allowed to travel underground, under the building.
14. **Plan Review (Underground):** A review of the underground drawings is required along with the fire protection drawings before a permit will be issued by the Fire & Rescue Department. Underground plans shall be submitted a minimum of four (4) weeks before installation begins.
15. **Fire Hydrants:** Fire hydrants shall be spaced no more than 350 feet apart around the perimeter of the building, per Village Ordinance 180-16. The insurance carrier must agree in writing to the hydrant spacing. As many hydrants as possible shall be supplied directly by municipal water. The distance from the finished grade line to the lowest discharge shall be no less than 18 inches and no more than 23 inches. The Fire Department connections shall be located, and of sufficient height where typical snow fall or snow removal operations will not obstruct access.
16. **Fire Hydrant Acceptance:** This project will include the installation of water mains for domestic and fire protection use. Prior to the fire sprinkler system connection to any

new water mains (including water mains, fire hydrants, laterals leading to the building and risers) must be hydrostatically tested flushed according to National Fire Protection Association (NFPA–National Fire Code) Standard 24 and witnessed by the Fire Chief and or the Chief’s representative, the installing contractor and the fire sprinkler contractor at a minimum.

17. Fire hydrant and water main flushing can be disruptive to the job site and requires significant coordination of all sub-contractors by the General Contractor. Nonetheless flushing is an essential part of assuring public safety.
18. The General Contractor is highly encouraged to coordinate the flushing of all new water mains, fire hydrants, laterals leading to the building and risers with both the sub-contractors responsible, the Village of Pleasant Prairie Engineering Department, Fire & Rescue Department and the Water Utility Department, prior to seeking a ‘clean water sample’ on this site.

**NOTE:** The Fire Protection Designer must meet with the Fire & Rescue Department before the underground drawings are submitted for review to finalize the placement of the hydrants.

19. **Pumper Pad:** There shall be dedicated space for a fire engine to have unobstructed access to the Pumper Pad. Both the Fire Department Sprinkler connection and the fire hydrant shall be installed remote from the building and located a minimum distance from the building equal to the highest wall. The fire hydrant shall be located no more than five (5) feet from the roadway and the Fire Department sprinkler connection shall be placed no more than five (5) feet from the fire hydrant. The Fire Department connection shall be constructed along with an underground drain with access for inspection. A guideline detail is attached and is meant to illustrate the requirements needed to meet the requirements stated in Village Ordinance 180-16.

**NOTE:** *The Fire Department Connection riser shall include a single five (5) inch Storz fitting.*

20. **Bollards:** Shall be placed near fire hydrants, remote post indicator valves (PIV) and Fire Department connection(s) to prevent damage. Bollards shall be 6 inches in diameter. Bollards shall not obstruct charged fire hoses. It is recommended that the Fire Department approve the location of the bollard(s) before final placement is made.
21. **Strobe Light:** A strobe light shall be provided for each riser and installed vertically above each sprinkler water flow bell. The strobe light shall operate for a sprinkler water flow. The lens color shall be RED. The strobe light shall meet Village specifications as found in section 180-16 K of the Sprinkler Ordinance.
22. **Fire Alarm System:** **The system shall be fully addressable so that detailed information will be received about the device in alarm.** Utilizing a fire pull station, sprinkler water flow, or any other fire detection device that maybe installed in this building shall activate the internal fire alarm system.

- a. **Manual Fire Alarm Pull Stations:** Shall be located at a minimum, immediately adjacent to each exterior door. Any additional exterior doors will be required to meet this requirement. The pull station shall not be placed in the area of the door, but immediately adjacent to the door jamb.
- b. **Pull Stations and Audiovisual Alarms:** Shall be installed per ADA requirements.
- c. **Smoke and Heat Detection:** Shall be installed as required.
- d. **Tamper Switches:** Tamper switches shall be placed on all sprinkler valves and be identified on the annunciator panel.
- e. **Fire Alarm Control Panel: Shall be addressable.** The annunciator panel type shall be approved by the Fire & Rescue Department. The Fire Alarm Control Panel shall be located within the Fire Pump Room. The panel shall identify a fire sprinkler water flow by riser, and the specific locations of the fire alarm pull stations and any other fire detection devices that may be installed in this building.
- f. **Annunciator Panel: Shall be addressable.** The annunciator panel type shall be approved by the Fire and Rescue Department. The panel shall identify a fire sprinkler water flow by riser, and the specific locations of the fire alarm pull stations and any other fire detection devices that may be installed in this building.
- g. **Transmission of Fire Alarms.** The method of transmission to central station must be approved by the Fire & Rescue Department. i.e. Phone line, RF Radio and /or Cellular technologies
- h. **Central Station:** The Fire Alarm Control Panel shall transmit all fire alarm, tamper, trouble and supervisory signals to a central station that is certified by Underwriters Laboratories (UL) and/or Factory Mutual (FM) and approved by the Fire & Rescue Department. The owner shall provide such documentation for approval. It is recommended that the owner consult with the Fire & Rescue Department prior to signing any contracts with the Central station.

- 1) The central station shall be provided with this information regarding the geographical location of this alarm:

Village of Pleasant Prairie, County of Kenosha, State of Wisconsin

Fire: Pleasant Prairie Fire & Rescue

Medical: Pleasant Prairie Fire & Rescue

Phone numbers:

**Emergency: (262) 694-1402**

Non-emergency: (262) 694-7105

Business: (262) 694-8027

23. **Knox Box:** Knox Boxes shall be provided for the building. One by main entrance door, and one at the door nearest the fire riser room. The Knox Boxes shall be Model 4400. Two sets of all keys (Master, fire alarm pull station, annunciator, elevator, etc.) shall be placed within the box, as well as a copy of the pre-fire plan.

24. **MSDS Knox Box:** A minimum of One (1) Knox Box(s) designed for Material Safety Data Sheet storage shall be provided for each tenant to contain the data sheets on all products that are considered hazardous within the facility. The MSDS Box(s) shall be installed within the Fire Pump Room.

25. **Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers) for the specific use of the building and be in sufficient number. Final approval, of fire extinguisher locations and quantity, will not be given until occupancy is taken, to see how a tenant furnishes the space. The company providing the fire extinguishers shall submit a letter to the Fire & Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.
26. **Emergency and Exit Lighting:** Exit and Emergency Lighting shall be provided and shall have battery backup. Combination units are acceptable and recommended. An Emergency Generator eliminates the need for battery backup. Exit and Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled. An Emergency light shall be placed within the fire pump room.
27. **Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.
- a. The fire protection contractor shall provide the owner with a letter (upon completion of the sprinkler work) stating the sprinkler system, or portion thereof, is "100% operational and built according to the design", Village Ordinance, 180-16 N.
  - b. Copy of contract with fire alarm central monitoring station.
  - c. Copy of UL and/or FM certificate(s) for the fire alarm central monitoring station.
  - d. Copies of the fire protection underground flushing documents.
  - e. Copies of the underground and fire sprinkler hydrostatic test certificates.
  - f. Copies of the fire sprinkler operational test certificates.
  - g. Copies of the fire alarm test documents.
  - h. Copies of other test documents such as, hood/ duct, smoke, etc...
  - i. Copies of all underground and above ground tank documents.
  - j. The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.
  - k. Provide two- (2) CD's, one for the property owner and one for the Fire & Rescue Department. The disks shall include all Floor plans and fire protection plans for the building in an as-built condition.
  - l. Severe Weather Shelter: The architect shall provide for both the Owner and the Fire & Rescue Department the area within the building that can be used as a "severe weather shelter" or "safe haven" during severe weather such as a tornado.
  - m. Maps of the fire alarm and fire sprinkler system shall be placed in the fire pump room, near the fire alarm control panel; the maps shall be hung on the wall, with a waterproof covering and accessible to firefighters wearing bulky clothes and equipment.
  - n. AED, in place at time of occupancy.
  - o. A copy of the Emergency Plan must be submitted to the Fire and Rescue Department before occupancy.
28. Occupancy inspection fee and re-inspection fee will be assessed at the final inspection in accordance with ordinance 180-17.
29. **Occupancy:** All fire and life safety requirements must be in place prior to any building being occupied.

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION  
RESOLUTION #14-10**

**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**, the property owner, FIAAT Investments, LLC is proposing to sell a portion of their property at the southeast corner of STH 165 and 72<sup>nd</sup> Avenue for the development of a gasoline and convenience store with a car wash facility located within a portion of the LakeView East Neighborhood; and

**WHEREAS**, development in the Village shall be consistent with the Comprehensive Plan; therefore prior to subdividing the property for commercial development the following amendments to the Comprehensive Plan are proposed:

1. To amend a portion of the LakeView East Neighborhood Plan 12 of Appendix 9-3 for the properties at the southwest corner of STH 31 and STH 165 as shown and described in **Exhibit 1**.
2. To amend the Village 2035 Land Use Plan Map 9.9 by changing a portion of the property located south of STH 165 and east of 72<sup>nd</sup> Avenue (Tax Parcel Number 92-4-122-281-0115) owned by FIAAT Investments LLC from the General Industrial land use designation to the Community Commercial land use designation and changing the properties located south of STH 165 and west of STH 31 (Tax Parcel Number 92-4-122-272-0475) owned by Richard and Dimitra Priebus, (Tax Parcel Number 92-4-122-272-0401) owned by John Felinski, a portion of the property located south of STH 165 and east of 72<sup>nd</sup> Avenue (Tax Parcel Number 92-4-122-281-0115) and all of Tax Parcel Number 92-4-122-281-0116 owned by FIAAT Investments LLC from the General Industrial land use designation to the Community Commercial with an Urban Reserve land use designation and shown on **Exhibit 2**.
3. To update Appendix 10-3 of the Village 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

**WHEREAS**, on June 9, 2014 the Village Plan Commission held a public hearing to discuss the proposed amendments.

**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 aforementioned amendments to the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan as presented at the June 9, 2014 public hearing.

**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 9<sup>th</sup> day of June 2014.**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

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

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

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

**EXHIBIT 1**

***Neighborhood Plan 12 of Appendix 9-3***

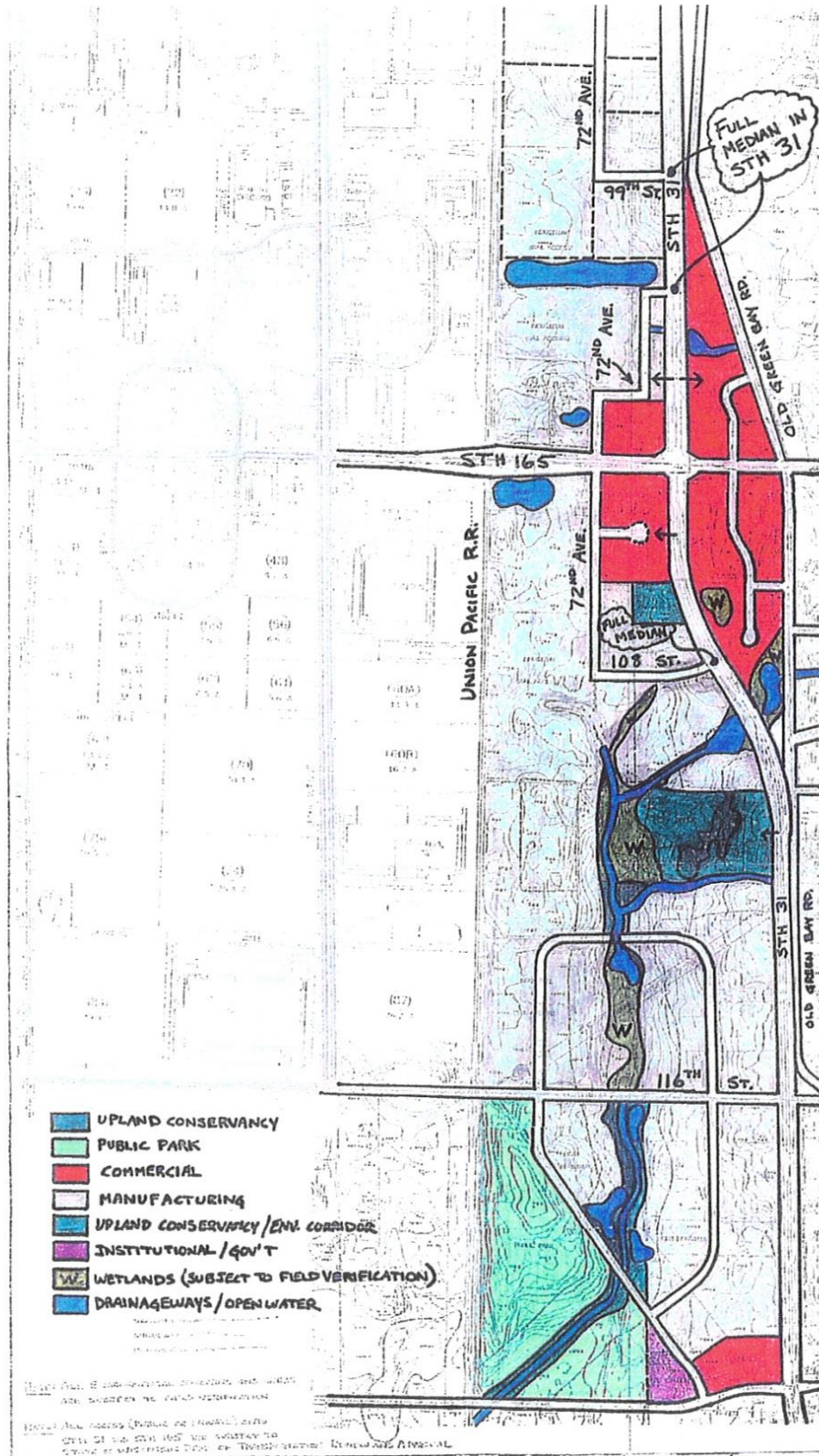
***LakeView East Neighborhood***

The LakeView East Neighborhood is a special purpose district. There are no planned residential uses within this Neighborhood and most of the land is located within the LakeView Corporate Park that was developed in the late 1980s as part of TID District #1 as discussed in the Economic Development Element (Chapter 8). Other land adjacent to LakeView Corporate Park within this neighborhood is proposed to be developed with similar industrial land uses.

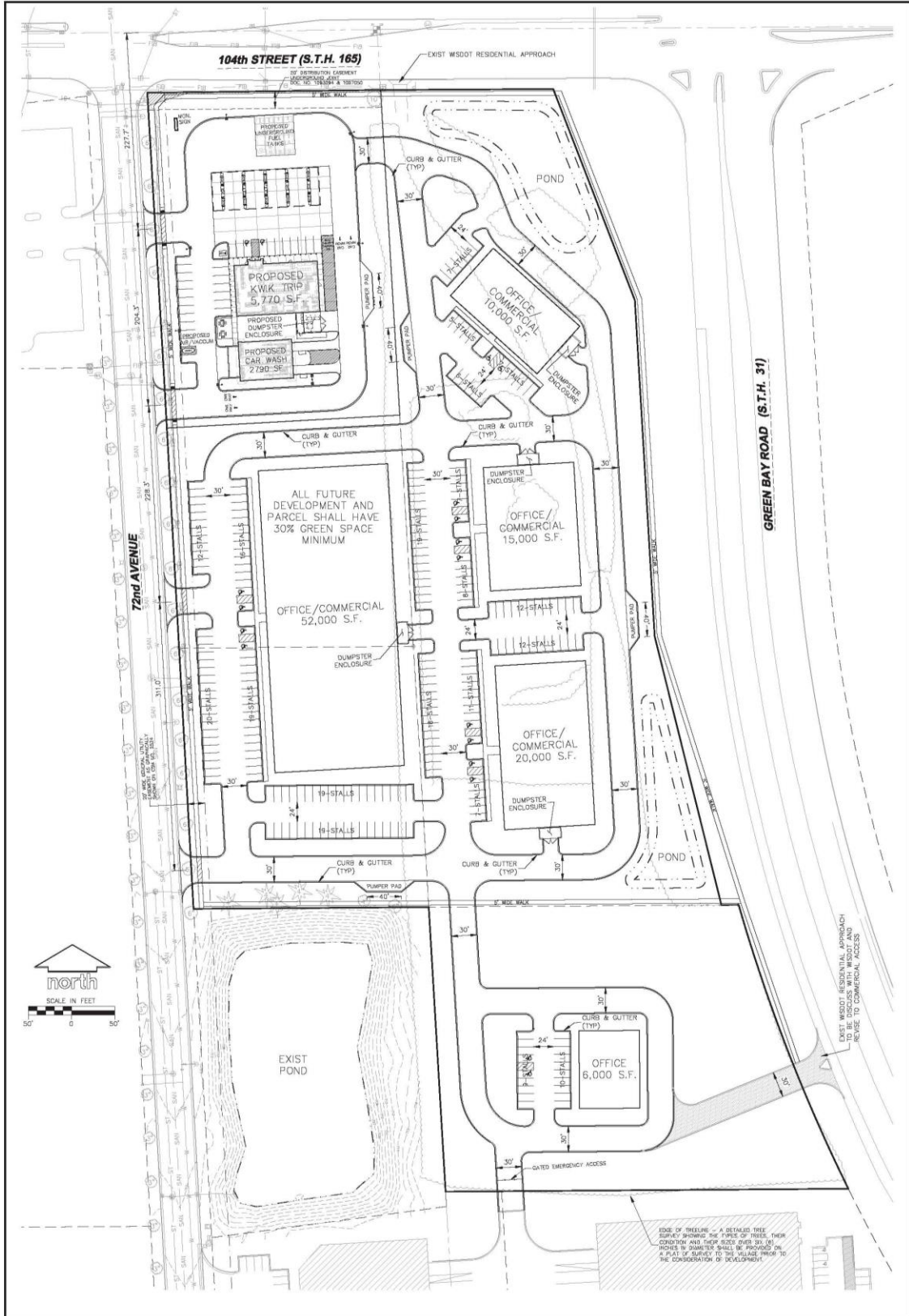
A portion of the LakeView East Neighborhood generally located south of 95<sup>th</sup> Street, west of STH 31, north of 122<sup>nd</sup> Street and east of the Union Pacific Railroad including a portion of the Highpoint and LakeView Neighborhoods west of STH 31 at STH 165. **as shown on Neighborhood Plan Map 12,** was adopted by the Plan Commission on September 25, 2000 by Resolution #00-11 and the Village Board adopted a Resolution of support on September 25, 1997 by Resolution #00-43.

**A portion of the LakeView East Neighborhood generally located south of STH 165, west of STH 31 and east of 72<sup>nd</sup> Avenue as shown on Neighborhood Plan Map 12a was adopted on June 9, 2014 by the Plan Commission who held a public hearing and adopted Plan Commission Resolution #14-10 and by Ord. #14-\_\_\_\_ as adopted by the Village Board on \_\_\_\_\_, 2014.**

**Neighborhood Plan Map 12**  
**LakeView East Neighborhood (a portion of)**  
 Adopted by Plan Commission Resolution #00-11 and Village Board Resolution #00-43



**Neighborhood Plan Map 12a**  
**LakeView East Neighborhood (a portion)**  
**Adopted by Plan Commission Resolution #14-10 and**  
**by the Village Board as Ord. #14-\_\_\_\_\_ on \_\_\_\_\_, 2014**

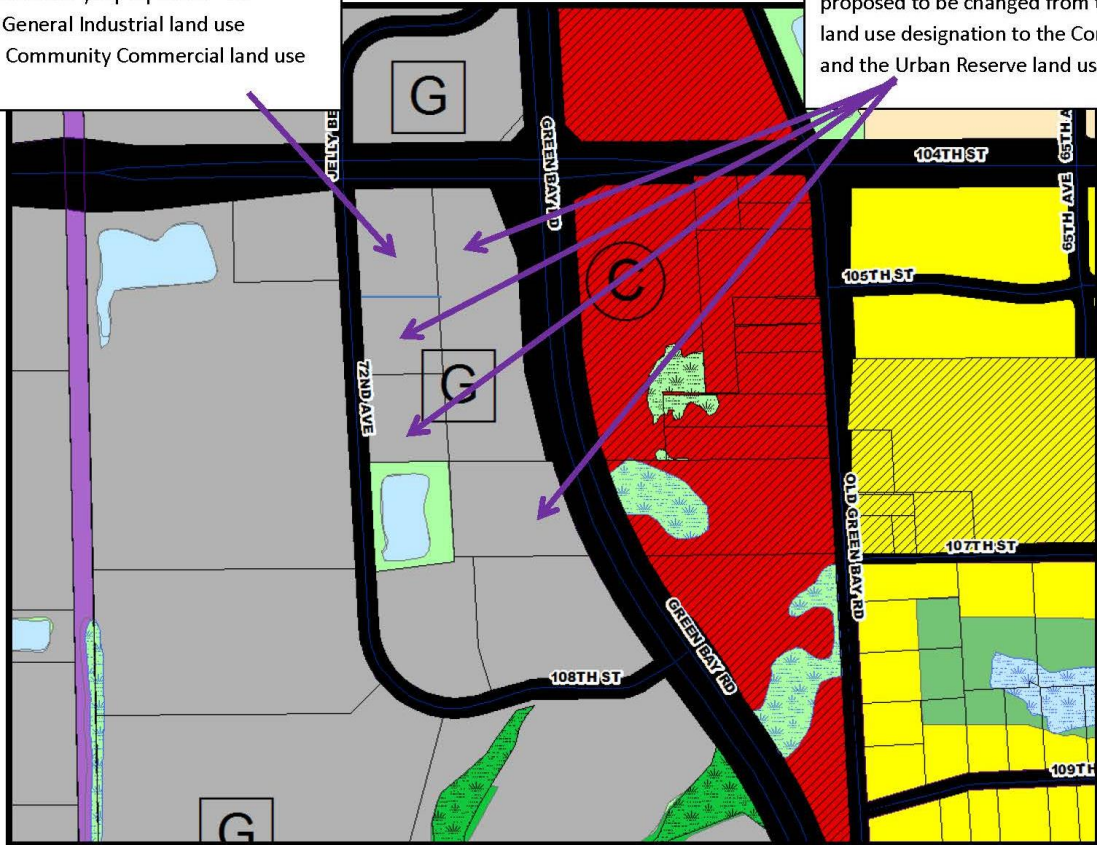


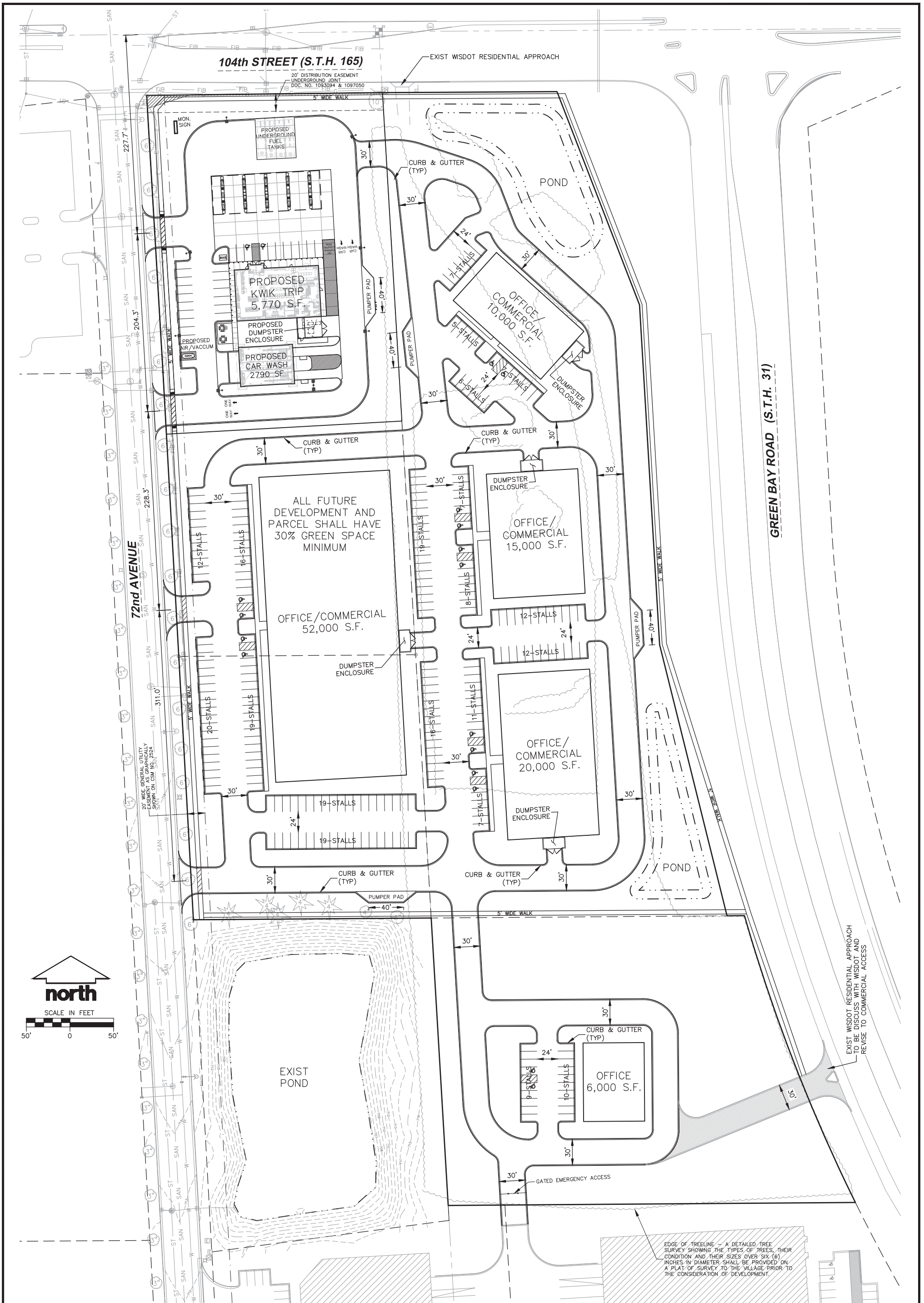


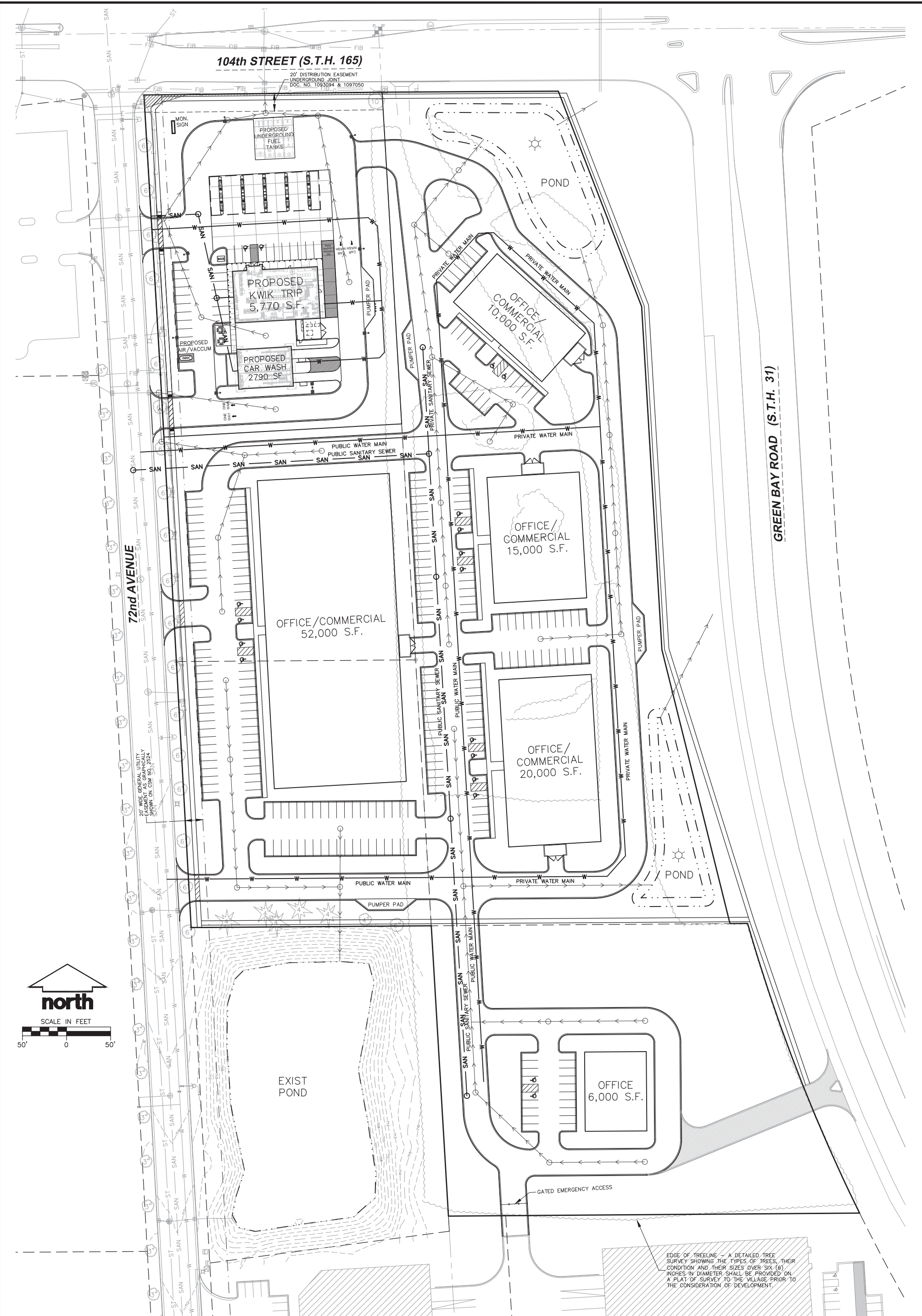
## EXHIBIT 2

A portion of Tax Parcel Number 92-4-122-281-0115 (Lot 1 of the proposed CSM) is proposed to be changed from the General Industrial land use designation to the Community Commercial land use designation.

A portion of Tax Parcel Number 92-4-122-281-0115, and Tax Parcel Numbers 92-4-122-272-0475, 92-4-122-272-0401 and 92-4-122-0116 are proposed to be changed from the General Industrial land use designation to the Community Commercial and the Urban Reserve land use designations.







104th STREET (S.T.H. 165)

20' DISTRIBUTION EASEMENT UNDERGROUND JOINT DOC. NO. 1093094 & 1097050

PROPOSED KWIK TRIP 5,770 S.F.

PROPOSED CAR WASH 2,790 S.F.

POND

OFFICE/COMMERCIAL 10,000 S.F.

OFFICE/COMMERCIAL 15,000 S.F.

OFFICE/COMMERCIAL 52,000 S.F.

OFFICE/COMMERCIAL 20,000 S.F.

POND

OFFICE 6,000 S.F.

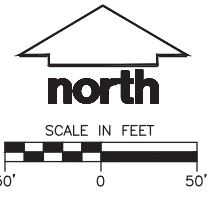
EXIST POND

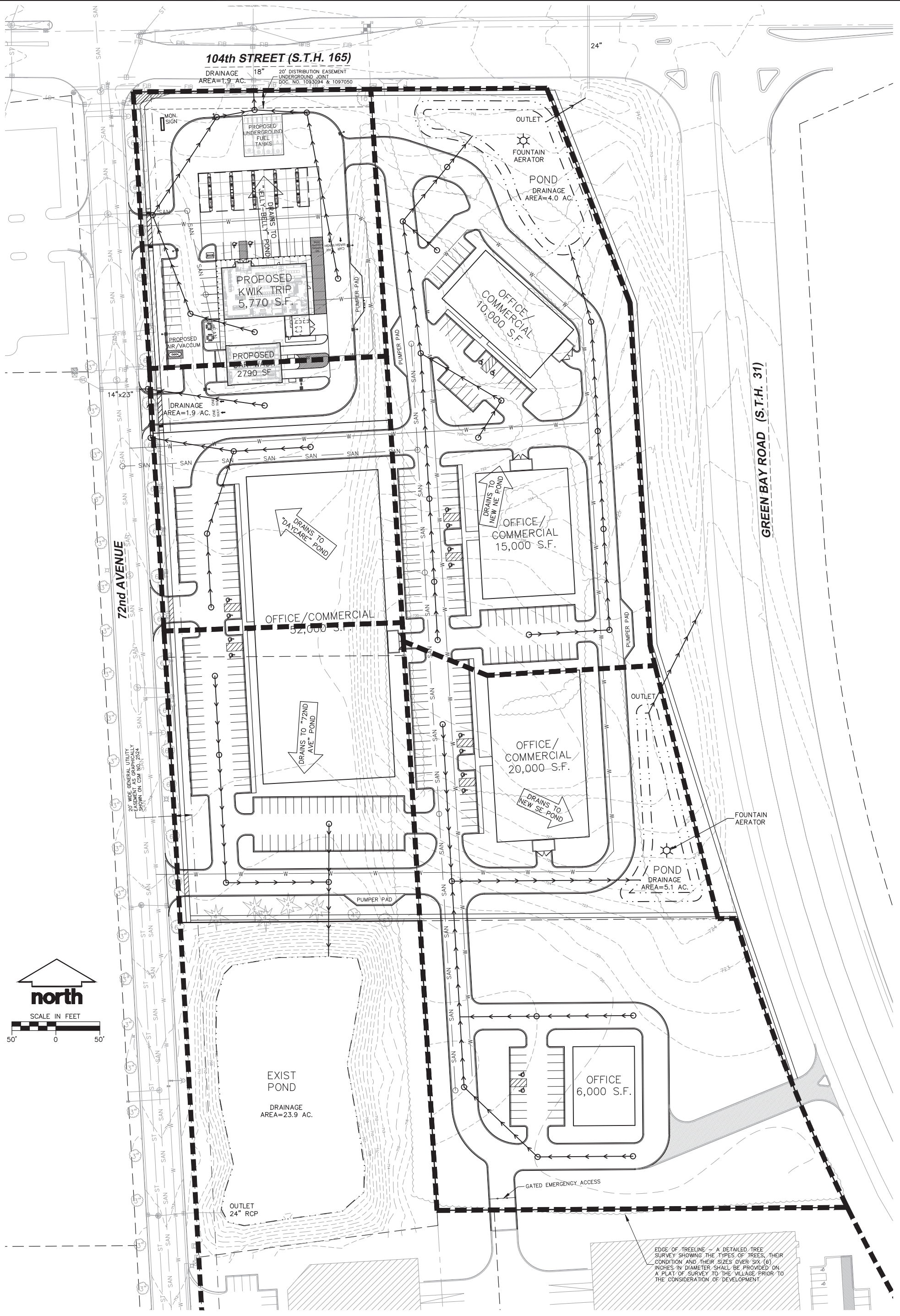
GATED EMERGENCY ACCESS

EDGE OF TREELINE - A DETAILED TREE SURVEY SHOWING THE TYPES OF TREES, THEIR CONDITION AND THEIR SIZES OVER SIX (6) INCHES IN DIAMETER SHALL BE PROVIDED ON A PLAN OF SURVEY TO THE VILLAGE PRIOR TO THE CONSIDERATION OF DEVELOPMENT.

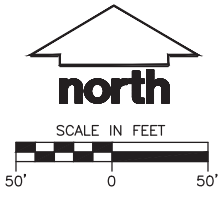
72nd AVENUE

GREEN BAY ROAD (S.T.H. 31)





NOTE: TOPOGRAPHIC INFORMATION PROVIDED BY ON-SITE SURVEY DATA AND KENOSHA COUNTY GIS SYSTEM



**WILLIAM A. MORRIS ARCHITECT, LLC**  
 5308 31ST AVENUE  
 KENOSHA, WI 53144

**CONCEPT SITE PLAN - MASTER STORMWATER**  
 SOUTHWEST CORNER OF GREEN BAY RD & S.T.H. "165"  
 VILLAGE OF PLEASANT PRAIRIE, WI

PLAN MODIFICATIONS:	DATE:	SHEET NUMBER:
VILLAGE COMMENTS	5/8/14	3 OF 3
VILLAGE COMMENTS	5/20/14	



RECEIVED APR 18 2014 Village of Pleasant Prairie

Filed \_\_\_\_\_ 20\_\_
Fee Paid \_\_\_\_\_ 20\_\_
PC Meeting Date \_\_\_\_\_ 20\_\_
VB Meeting Date \_\_\_\_\_ 20\_\_
Approved \_\_\_\_\_ 20\_\_
Denied \_\_\_\_\_ 20\_\_

VILLAGE OF PLEASANT PRAIRIE CERTIFIED SURVEY MAP APPLICATION

To: Village Plan Commission & Village Board of Trustees of the Village of Pleasant Prairie:

I, (We), the undersigned owner(s)/agent do hereby petition the Village Board to amend the Village of Pleasant Prairie Zoning Map as hereinafter requested.

It is petitioned that the following described property be subdivided with a Certified Survey Map (CSM)

The property petitioned to be subdivided is located at: SOUTHEAST CORNER OF 72ND AVE AND HWY 165 and is legally described as follows: PLEASE SEE ATTACHED LEGAL DESCRIPTION

Tax Parcel Number(s): 92-4-122-281-0115

- The property abuts or adjoins a State Trunk Highway [X] Yes [ ] No
The property abuts or adjoins a County Trunk Highway [ ] Yes [X] No
Municipal Sanitary Sewer is available to service said properties [X] Yes [ ] No
Municipal Water is available to service said properties [X] Yes [ ] No

I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request with the Village staff to determine additional information that may be needed to consider the request.

I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

PROPERTY OWNER:

Print Name: FLAT INVESTMENTS LLC
Signature: [Signature]
Address: P.O BOX 86 SOMERS WI 53171
Phone: 515-1965
Fax: NA
Date: 4-17-14

OWNER'S AGENT:

Print Name: WILLIAM A MORRIS - ARCHITECT LLC
Signature: [Signature]
Address: 5308 31ST AVE KENOSHA WI 53144
Phone: 262-620-0563
Fax:
Date: 4-17-14

DRAFT

CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING REDIVISION OF ALL OF LOT 105 AND LOT 106 OF CERTIFIED SURVEY MAP NO. 2524, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 22 EAST, VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

PREPARED FOR:

FIAAT INVESTMENTS LLC  
1218 42ND AVENUE  
KENOSHA, WI 53144

PREPARED BY:

**JSD** Professional Services, Inc.  
Engineers • Surveyors • Planners  
MILWAUKEE REGIONAL OFFICE  
N22 W22931 NANCY'S COURT SUITE 3  
WAUKESHA, WISCONSIN 53186  
262.513.0666 PHONE | 262.513.1232 FAX

LEGEND:

- INDICATES SET 1" X 18" IRON PIPE WEIGHING 1.13 LBS. / FT.
- INDICATES FOUND 3/4" REBAR



*Dedicated Cross Access and Maintenance Easement*

NW COR. OF NE 1/4 OF SEC. 28-1-22 CONC. MON. W/ BRASS CAP IN MANHOLE



(R/W WIDTH VARIES)

**104th STREET (STH 165)**

DEDICATED PUBLIC STREET

NE COR. OF NE 1/4 OF SEC. 28-1-22 CONC. ALUM. CAP MON. N:197,794.54 E:2,567,904.90 } GRID

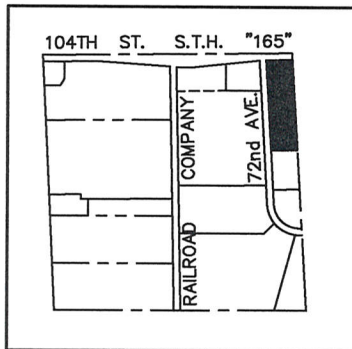


N. LINE OF NE 1/4 SEC. 28-1-22 N89°19'31"E 2576.57' (TOTAL) DEDICATED 20' WEPCO & WISCONSIN BELL EASEMENT PER DOC. NO. 1093094 & 1097050

S03°22'44"E 70.10'

15'X50' DEDICATED VISION TRIANGLE EASEMENT PER THIS CSM SEE DETAIL "B" ON SHEET 2 OF 8

LOCATION MAP



NE 1/4 SEC. 28-1-22 SCALE 1" = 2000'

BEARING BASIS:  
ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. THE EAST LINE OF THE NE 1/4 OF SEC. 28-1-22, WAS USED AS S03°22'44"E

PROJECT CONVERSION FACTOR:  
GRID/1.0000045 = GROUND

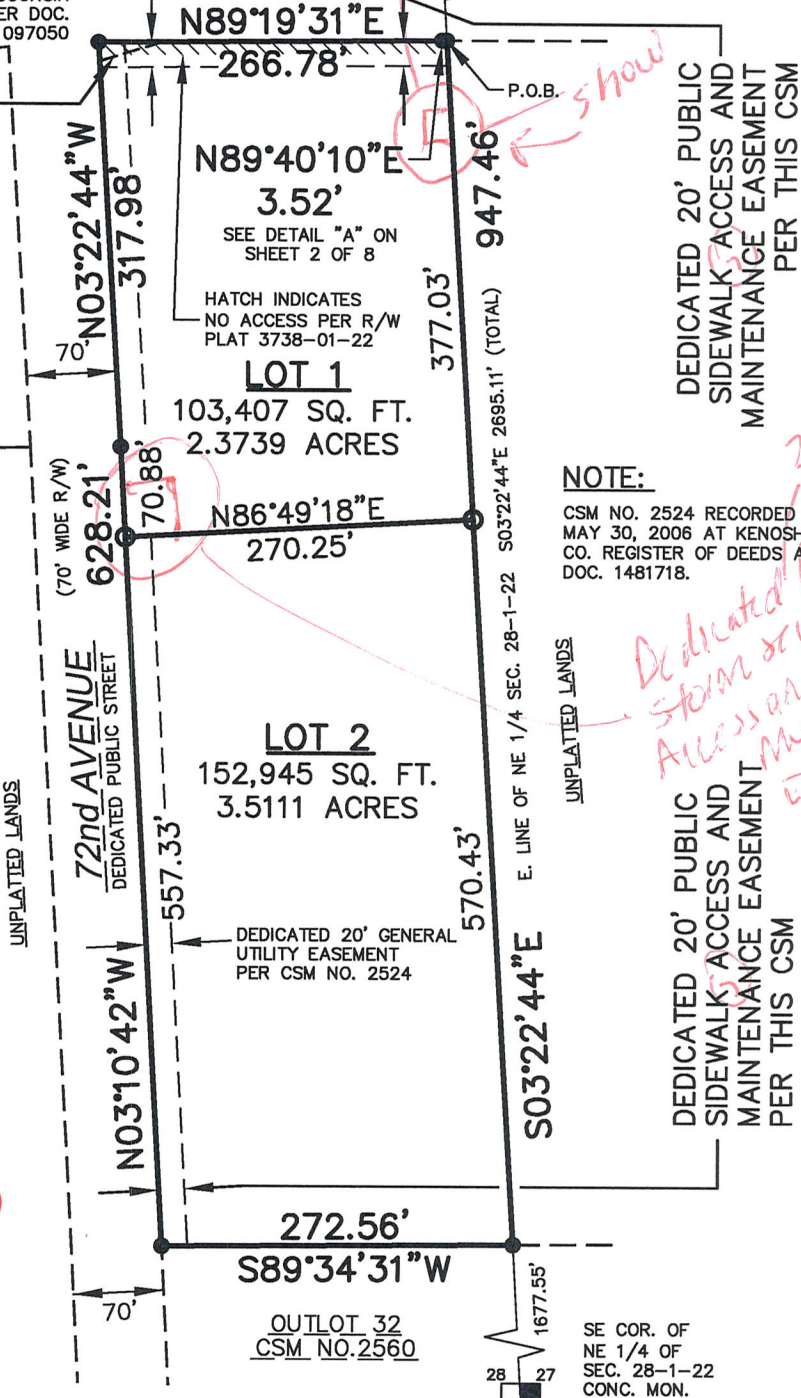
SUBJECT TO EASEMENTS OF RECORD.

ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

*Dedicated Cross Access and Maintenance Easement (add language) separate document*

*June*



**NOTE:**  
CSM NO. 2524 RECORDED ON MAY 30, 2006 AT KENOSHA CO. REGISTER OF DEEDS AS DOC. 1481718.  
*Dedicated Private Storm sewer Access and Maintenance Easement*

DATED THIS \_\_\_\_\_ DAY OF MAY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL W.ISKANDARSJACH, S-2738

**CERTIFIED SURVEY MAP No. \_\_\_\_\_**

BEING A BEING REDIVISION OF ALL OF LOT 105 AND LOT 106 OF CERTIFIED SURVEY MAP NO. 2524, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 22 EAST, VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

**DETAIL "A"**

NE COR. OF NE 1/4 OF SEC. 28-1-22 CONC. ALUM. CAP MON.

N. LINE OF NE 1/4 SEC. 28-1-22 N89°19'31"E 2576.57' (TOTAL)

104th STREET (S.T.H. "165')

N89°40'10"E  
3.52'

N89°19'31"E 266.78'

**LOT 1**  
103,407 SQ. FT.  
2.3739 ACRES

S03°22'44"E 2695.11' (TOTAL)  
E. LINE OF NE 1/4 SEC. 28-1-22

S03°22'44"E 947.46'

UNPLATTED LANDS



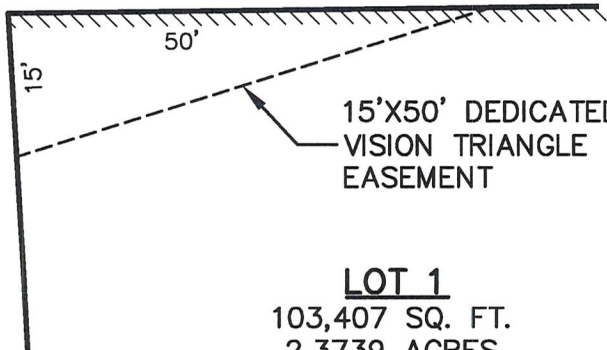
SCALE IN FEET

20' 0 20'

**DETAIL "B"**

104th STREET (S.T.H. "165')

72nd AVENUE



15'X50' DEDICATED  
VISION TRIANGLE  
EASEMENT

**LOT 1**  
103,407 SQ. FT.  
2.3739 ACRES

DATED THIS June DAY OF MAY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL WISKANDARSJACH, S-2738

**CERTIFIED SURVEY MAP No. \_\_\_\_\_**

BEING A BEING REDIVISION OF ALL OF LOT 105 AND LOT 106 OF CERTIFIED SURVEY MAP NO. 2524, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 22 EAST, VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

**NEW EASEMENT DEDICATIONS:**

**DEDICATED 20' PUBLIC SIDEWALK ACCESS AND MAINTENANCE EASEMENT**

*HP*  
A perpetual nonexclusive easement coextensive with the area shown as a Dedicated 20' Public Sidewalk, Access and Maintenance Easement on Lot 1 and Lot 2 of this Certified Survey Map is hereby dedicated, given, granted and conveyed by FIAAT Investments, LLC to the Village for the public pedestrian walkway, bicycle, access, uses and purposes, and for all related ingress and egress, construction, installation, repair, alteration, replacement and maintenance activities. This Dedicated 20' Public Sidewalk, Access and Maintenance Easement shall be exclusive, except for: (1) the Existing Dedicated 20' Wide General Utility Easement as dedicated on Certified Survey Map No. 2524 with respect to the same area or any portion thereof, (2) Dedicated WEPCO and Wisconsin Bell Easement as dedicated on Document No. 1093094 and No. 1097050 with respect to the same area or any portion thereof and (3) the Owner's use, planting and irrigation, care and maintenance of the Public Sidewalk, Access and Maintenance Easement area on Lot 1 and Lot 2, as it will not interfere with the improvements, uses and purposes of the Village. In the event of any conflicts between the rights of the Village pursuant to this Easement and the rights of any other persons or entities with respect of this Easement, the Village's rights under this Easement shall be deemed to be superior.

**DEDICATED VISION TRIANGLE EASEMENT**

*AN*  
Nonexclusive easements coextensive with the areas shown as a 15'X50' Dedicated Vision Triangle Easement on Lot 1 of this Certified Survey Map are hereby dedicated, given, granted and conveyed by FIAAT Investments, LLC to the Village for the purpose of maintaining a clear sight line of vision at the identified intersection. There shall be no obstructions, such as but not limited to structures, signage, fencing, vehicular parking, vegetation and shelters within the 15'X50' vision triangle easement unless expressly approved by the Village. This restriction is for the safety and benefit of the traveling public and shall be enforceable by the Village.  
*is*

*June*  
DATED THIS \_\_\_\_\_ DAY OF MAY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL W.ISKANDARSJACH, S-2738



CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING A BEING REDIVISION OF ALL OF LOT 105 AND LOT 106 OF CERTIFIED SURVEY MAP NO. 2524, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 22 EAST, VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

EXISTING EASEMENT DEDICATIONS:

**DEDICATED PUBLIC STREET**

The fee interest in the areas shown as a Dedicated Public Street on this Certified Survey Map were dedicated, given, granted and conveyed by a previous Certified Survey Map No. 2069 and No. 2229 to the Village of Pleasant Prairie (referred to as the "Village"), its successors and assigns for the construction, installation, repair, alteration, replacement, and maintenance of public street improvements, uses and purposes, including, without limitation, street pavement, curbs and gutters, sidewalks, street signs, street lights, bike lanes, sanitary sewerage system improvements, water system improvements, storm sewer and drainage system improvements, mailboxes, utility and communications facilities, street terrace grading, placing topsoil and seeding, street trees and other landscaping, and for all related ingress and egress, construction, installation, repair, alteration, replacement, planting, maintenance, and access activities. Such fee interest is subject to the following: (1) a nonexclusive easement coextensive with the Dedicated Public Street areas shown on this Certified Survey Map and granted to the adjacent Lot Owners for street terrace grading, placing topsoil and seeding, street trees and other landscape planting, snow clearance, maintenance, repair, replacement of sidewalks in the area between the roadway and their properties, and for the construction, installation, repair, replacement, maintenance and use of such driveways in the area between the roadway and their property as approved by the Village and as will not interfere with the public improvements, uses and purposes of the Village (all subject to the rights of the Village to perform the same planting, replanting, construction, installation, repair, clearance, maintenance and replacement functions); and (2) a nonexclusive easement for the LakeView Commercial Owners Association, Inc. (hereinafter referred to as the "Association") for the planting and maintenance of grass and street trees, and the snow clearance, maintenance, repair and replacement of sidewalks in the area between the roadway and the properties, and for the construction, installation, repair, replacement, maintenance and use of such driveways in the area between the public roadway and the adjacent properties as approved by the Village and as will not interfere with the public improvements, uses and purposes of the Village (all subject to the rights of the Village, but not the obligation to perform the same planting, replanting, construction, installation, repair, clearance, maintenance and replacement functions and assess such costs to the abutting properties); and in the event of any conflict between the rights of the Village under its fee interest in the Dedicated Public Streets, the Association, or of the Lot Owners, pursuant to the easements retained herein, the rights of the Village shall be deemed to be superior.

The adjacent Lot 1 and 2 Owners shall be responsible for all costs associated with the construction, installation, repair, alteration, replacement, planting and maintenance of the public sidewalks, and private driveways, public street lights energy and maintenance costs, mailboxes, utility and communications facilities, street terrace grading, placing topsoil and seeding, street trees and for all related ingress and egress, construction, installation, repair, alteration, replacement, planting and maintenance in accordance with the terms and conditions of the Village Land Division and Development Control Ordinance.

*Add } Dedicated Cross Access and Maintenance Easement  
(see attached language) separate document*

DATED THIS June DAY OF MAY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL W.ISKANDARSJACH, S-2738

SHEET 4 OF 8

**CERTIFIED SURVEY MAP No. \_\_\_\_\_**

BEING A BEING REDIVISION OF ALL OF LOT 105 AND LOT 106 OF CERTIFIED SURVEY MAP NO. 2524, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 22 EAST, VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

**EXISTING EASEMENT DEDICATIONS:**

**DEDICATED 20' GENERAL UTILITY EASEMENT**

*K* The easement coextensive with the areas shown as Dedicated 20' Wide General Utility Easement areas on Lot 1 and 2 of this Certified Survey Map were dedicated, given, granted and conveyed to WE Energies, AT & T and Time Warner Cable Inc. and their respective successors and assigns (collectively, the "Utility and Communications Grantees") by previous Certified Survey Map No. 2524, for the purposes of constructing, installing, operating, repairing, altering, replacing and maintaining utility and communication lines and other related facilities to serve the Lots, (or portions thereof) shown on this Certified Survey Map and for any related ingress and egress. These easements shall also include the right to trim or cut down trees, bushes, branches, and roots as reasonably required interfering with the Utility and Communication Grantees use of the easement areas. To the extent possible, all such utility and communications lines and facilities shall be installed underground. Upon the installation of the utility cables and related appurtenances, the elevation of the existing ground surface within the easement areas shall not be altered by more than four (4) inches of final grade without the written approval of the Utility and Communications Grantees. Upon the installation of the utilities, the Lot Owners shall restore or cause to be restored, all such land, as nearly as is reasonably possible, to the condition existing prior to installing such utilities within the communication easement areas on which such easements are located as does not interfere with the purpose of the utility and communications easements and the use of such easements by the Utility and Communications Grantees unless a separate agreement is entered into between the Lot Owners and Grantees regarding the transfer of the restoration and maintenance responsibilities to the Grantees. No buildings, fences, or structures of any kind shall be placed within the utility and communications easement areas without the prior written approval of the Utility and Communication Grantees.

The Village generally allows private utilities, including but not limited to electric and communications facilities, to be installed in public street rights-of-way with prior written approval from the Village, subject to the requirements of applicable Village ordinances and the requirements of such public uses and purposes of the Village. Further, each individual private utility, electric or communications company shall be responsible for promptly restoring the public street areas to their pre-existing condition, at its own cost, after any use of such areas. In the event the private companies do not restore the public street areas to a vegetatively stabilized condition, the abutting Lot Owners shall be ultimately responsible for the costs of such restoration and may pursue its remedies against the respective utility company(ies). Under no circumstances shall any private utility, electric or communications company conduct any open cutting of the public roadways after the crushed aggregate base course is installed without prior written approval of the Village. Any such private utility or communications facilities shall be promptly relocated, at the cost of the individual utility, electric or communications company, upon written request of the Village, to serve the public functions and purposes of the Village in the public street area. In the event of any conflict between the rights of the Village and the rights of the private utility, electric or communications company in such public street areas, the Village's rights shall be deemed to be superior.

**DEDICATED 20' WEPCO AND WISCONSIN BELL EASEMENT**

A nonexclusive easement coextensive with the area shown on Lot 1 of this Certified Survey Map as a Dedicated 20' WEPCO and Wisconsin Bell Easement area was dedicated, given, granted and conveyed by prior recorded Documents No. 1093094 and 1097050 for the purposes of constructing, installing, operating, repairing, altering, replacing and maintaining utility and communication lines and other related facilities to serve the Lots, (or portions thereof) shown on this Certified Survey Map and for any related ingress and egress.

*June*  
DATED THIS \_\_\_\_\_ DAY OF MAY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL W.ISKANDARSJACH, S-2738

SHEET 5 OF 8

**CERTIFIED SURVEY MAP No. \_\_\_\_\_**

BEING A BEING REDIVISION OF ALL OF LOT 105 AND LOT 106 OF CERTIFIED SURVEY MAP NO. 2524, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 22 EAST, VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

**SURVEYOR'S CERTIFICATE:**

State of Wisconsin    )  
                                  ) SS  
Kenosha County        )

I, Rizal W. Iskandarsjach, Registered Land Surveyor, do hereby certify that I have surveyed, divided, and mapped a redivision of Lot 105 and Lot 106 of Certified Survey Map No. 2524, located in the Northeast 1/4 of the Northeast 1/4 of Section 28, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of the Northeast 1/4 of said Section 28; thence South 03°22'44" East along the east line of the Northeast 1/4 of said Section 28, 70.10 feet to the south line of 104th Street (State Trunk Highway "165") and the point of beginning:

Thence continuing South 03°22'44" East along said east line, 947.46 feet to the northeast corner of Outlot 32 of Certified Survey Map No. 2560; thence South 89°34'31" West along the north line of said Outlot 32, 272.56 feet to the east line of 72nd Avenue; thence North 03°10'42" West along said east line, 628.21 feet; thence North 03°22'44" West along said east line, 317.98 feet to the south line of said 104th Street (State Trunk Highway "165"); thence North 89°19'31" East along said south line, 266.78 feet; thence North 89°40'10" East along said south line, 3.52 feet to the point of beginning.

Containing in all 256,351 square feet (5.8850 acres) of land, more or less.

All subject to easements and restrictions of record, if any.

That I have made such survey, land division and map by the direction of FIAAT INVESTMENTS, LLC, owner of said land.

That such map is a correct representation of all exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Village of Pleasant Prairie Land Division and Development Control Ordinance in surveying, dividing, dedicating and mapping the same.

DATED THIS \_\_\_\_\_ DAY OF ~~MAY~~, 2014

June

\_\_\_\_\_  
Rizal W. Iskandarsjach, R.L.S.  
Registered Land Surveyor, S-2738



Document No.

**CROSS ACCESS EASEMENT AGREEMENT**

Return to:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Parcel Numbers

THIS CROSS ACCESS EASEMENT AGREEMENT (the "Agreement") is between \_\_\_\_\_ ("Parcel A Owner") and \_\_\_\_\_ ("Parcel B Owner").

**RECITALS:**

- A. Parcel A Owner is the owner of certain real property located in Kenosha County, Wisconsin, as described on the attached Exhibit A and referred to on the exhibit and in this Agreement as "Parcel A".
- B. Parcel B Owner is the owner of certain real property also located in Kenosha County, Wisconsin, adjoining Parcel A, as described on the attached Exhibit B and referred to on the exhibit and in this Agreement as "Parcel B".
- C. Parcel A Owner and Parcel B Owner wish to grant each other certain easement rights as more fully set forth below.

**AGREEMENT**

For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

**1. Grant by Parcel A Owner.** Parcel A Owner grants to Parcel B Owner for the benefit of Parcel B Owner and Parcel B and all present and future owners of Parcel B and their occupants, agents, employees, guests, licensees, and invitees (collectively, "Users") a perpetual nonexclusive easement to use any portions of Parcel A that are used for vehicular parking or as drive aisles for vehicular and pedestrian ingress

and egress over, on, and across such portions to obtain access to and from Parcel B and public rights-of-way. The areas described above are referred to in this Agreement as the “*Parcel A Easement Areas*”.

**2. Grant by Parcel B Owner.** Parcel B Owner grants to Parcel A Owner for the benefit of Parcel A Owner and Parcel A and all present and future owners of Parcel A and their occupants, agents, employees, guests, licensees, and invitees (collectively, “*Users*”) a perpetual nonexclusive easement to use any portion of Parcel B that is used for vehicular parking or as drive aisles for vehicular and pedestrian ingress and egress over, on, and across such portions to obtain access to and from Parcel A and public rights-of-way. The areas described above are referred to in this Agreement as the “*Parcel B Easement Areas*”.

**3. Site Plan.** Parcel A Owner and Parcel B Owner agree that any parking lot, drive aisle, access points and driveway improvements constructed on Parcel A shall be constructed substantially in accordance with the Site Plan attached hereto as Exhibit C (the “*Site Plan*”).

**4. Construction and Paving.** Except as otherwise provided in this Paragraph 4, each Owner shall be responsible for constructing and paving all driveways, walkways, and exits and appurtenances located on their respective Parcel. Notwithstanding the foregoing, if the Parcel B Owner constructs improvements on Parcel B before driveways, walkways, and exits and appurtenances thereto are constructed on Parcel A, the Parcel B Owner shall be entitled to construct a temporary driveway to connect Parcel B with 72<sup>nd</sup> Avenue and 104<sup>th</sup> Street in accordance with the Site Plan. When Parcel A is subsequently developed, the Parcel A Owner shall be entitled to remove such temporary driveways and improvements, as long as during any construction on Parcel A there is reasonable access granted to Users of Parcel B, including paved driveways for access to 72<sup>nd</sup> Avenue and 104<sup>th</sup> Street. There is no requirement for the Parcel A Owner to make any improvements to Parcel A until the Parcel A Owner develops Parcel A. There is no requirement for the Parcel B Owner to make any improvements to Parcel B until the Parcel B Owner develops Parcel B.

**5. Maintenance.** Once any driveways, walkways, and exits and appurtenances thereto are constructed on their respective parcel, Parcel A Owner and Parcel B Owner shall at all times maintain the easements and all driveways, walkways, and exits and appurtenances thereto as are located on their respective properties in good condition and repair and at the standard applicable to first-class commercial businesses in the Village of Pleasant Prairie, including periodic patching, resurfacing, and restriping, and keep them in a neat and safe condition free of accumulated paper, debris, other refuse, snow, and ice for the uses and purposes described in this Agreement. Maintenance shall be performed by the owner of the particular property at the owner’s expense. Each party shall have the right, but not the duty, to perform any maintenance for which the obligation of performance is imposed on the other party to this Agreement. This right may only be exercised if within 30 days of delivery of written notice to the responsible party, sent by registered or certified mail and describing the maintenance to be performed by the party, the responsible party has continued to fail to perform the maintenance that is the subject of the notice. A party performing maintenance imposed on the other party to this Agreement shall be entitled to reimbursement from the other party upon the performing party’s presentation of an invoice for the maintenance cost incurred. There shall be no rent, royalty or other charges to any Users for the easements granted in this Agreement.

**6. Consistent Uses Allowed.** Parcel A Owner and Parcel B Owner shall each have the rights to use the surface area of their respective properties in any way consistent with the grant in this Agreement.

**7. Indemnity.** Each party to this Agreement who exercises rights under the easement granted by this Agreement (the “*Dominant Owner*”) over the lands owned by the other party (the “*Servient Owner*”) shall indemnify and defend the Servient Owner and its officers, agents, and employees from all liability, suits, actions, claims, costs, damages, and expenses of every kind and description, including court costs and legal fees, for claims of any character, including liability and expenses in connection with the loss of life, personal

injury, or damage to property, brought because of any injuries or damages received or sustained by any person, persons, or property on account of or arising out of the use of the Servient Owner's property (the "*Servient Property*") by the Dominant Owner or its agents, contractors, subcontractors, invitees, or employees.

**8. Barriers.** The parties intend that Parcel A and Parcel B shall be served by open driveways and parking lots and that ingress and egress between the portion of the driveway and parking lot located on Parcel B and the portion of the driveway and parking lot located on Parcel A shall be open and unobstructed at all times. Accordingly, neither party shall do anything to interfere with the use of the easements granted under this Agreement by the other party or by the Users. No curbs, barriers, fences, dividers, or other obstructions shall be constructed on or across any driveway or parking area to prevent, prohibit, or discourage the free and uninterrupted flow of vehicular and pedestrian traffic. Notwithstanding anything set forth in this Agreement to the contrary, the foregoing prohibitions and limitations shall not apply to speed bumps, speed limit signs, and the like.

**9. Covenants Run with Land.** All of the terms and conditions in this Agreement, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by Parcel A Owner and Parcel B Owner and their respective successors and assigns as owners of Parcel A and Parcel B, respectively. The easements granted under Section 1 of this Agreement are easements appurtenant to Parcel B and may not be transferred separately from, or severed from, title to Parcel B. The easements granted under Section 2 of this Agreement are easements appurtenant to Parcel A and may not be transferred separately from, or severed from, title to Parcel A. Furthermore, the benefits of the easements granted under this Agreement shall not be extended to any properties other than Parcel A and Parcel B, or subdivisions of those properties, without the consent of the owners of the fee simple interest of all of Parcel A and all of Parcel B. The specific parties named as Parcel A Owner and Parcel B Owner in this Agreement, and each of their respective successors and assigns as fee simple owners of Parcel A and Parcel B, respectively, or any portion of Parcel A or Parcel B, shall cease to have further liability under this Agreement with respect to facts or circumstances first arising after the party has transferred its fee simple interest in Parcel A or Parcel B, respectively, except, however, for obligations that accrued during the party's period of ownership of title.

**10. Non-Use.** Non-use or limited use of the easement rights granted in this Agreement shall not prevent the benefiting party from later use of the easement rights to the fullest extent authorized in this Agreement.

**11. Governing Law.** This Agreement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.

**12. Entire Agreement.** This Agreement sets forth the entire understanding of the parties and may not be changed except by a written document executed and acknowledged by all parties to this Agreement and duly recorded in the office of the Register of Deeds of Kenosha County, Wisconsin.

**13. Notices.** All notices to either party to this Agreement shall be delivered in person or sent by certified mail, postage prepaid, return receipt requested, to the other party at that party's last known address. If the other party's address is not known to the party desiring to send a notice, the party sending the notice may use the address to which the other party's property tax bills are sent. Either party may change its address for notice by providing written notice to the other party.

**14. Invalidity.** If any term or condition of this Agreement, or the application of this Agreement to any person or circumstance, shall be deemed invalid or unenforceable, the remainder of this Agreement, or the application of the term or condition to persons or circumstances other than those to which it is held invalid or

unenforceable, shall not be affected thereby, and each term and condition shall be valid and enforceable to the fullest extent permitted by law.

**15. Waiver.** No delay or omission by any party in exercising any right or power arising out of any default under any of the terms or conditions of this Agreement shall be construed to be a waiver of the right or power. A waiver by a party of any of the obligations of the other party shall not be construed to be a waiver of any breach of any other terms or conditions of this Agreement.

**16. Enforcement.** Enforcement of this Agreement may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any term or condition in this Agreement, either to restrain or prevent the violation or to obtain any other relief. If a suit is brought to enforce this Agreement, the prevailing party shall be entitled to recover its costs, including reasonable attorney fees, from the nonprevailing party.

**17. No Public Dedication.** Nothing in this Agreement shall be deemed to be a gift or dedication of any portion of the easements granted under this Agreement to the general public or for any public purpose whatsoever. Parcel B Owner and Parcel A Owner agree to cooperate with each other and to take such measures as may be necessary to prevent the dedication to the public of the Parcel B Easement Areas or the Parcel A Easement Areas, whether by express grant, implication, or prescription. These measures may include, without limitation, the posting of "Private Road", "No Through Traffic", or "No Trespassing" signs. Such measures shall not, however, unreasonably interfere with the easement rights granted under this Agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

(Parcel A Owner)

By:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Title:

(Parcel B Owner)

By:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Title:



**ACKNOWLEDGMENT**

STATE OF WISCONSIN     )  
  ) SS.  
COUNTY OF \_\_\_\_\_)

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014 by  
\_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF WISCONSIN     )  
  ) SS.  
COUNTY OF \_\_\_\_\_)

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014 by  
\_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

**CONSENT OF MORTGAGEE OF PARCEL A**

The undersigned, being the holder of a mortgage against Parcel A, consents to the grant of the easement set forth above and agrees that its interest in Parcel A shall be subject to the easement.

\_\_\_\_\_  
By:  
\_\_\_\_\_  
Name:  
\_\_\_\_\_  
Title:  
\_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF WISCONSIN     )  
  ) SS.  
COUNTY OF \_\_\_\_\_)

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

**CONSENT OF MORTGAGEE OF PARCEL B**

The undersigned, being the holder of a mortgage against Parcel B, consents to the grant of the easement set forth above and agrees that its interest in Parcel B shall be subject to the easement.

\_\_\_\_\_  
By:  
\_\_\_\_\_  
Name:  
\_\_\_\_\_  
Title:  
\_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF WISCONSIN     )  
  ) SS.  
COUNTY OF \_\_\_\_\_)

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

This document was drafted by  
Attorney Timothy J. Geraghty  
Godin Geraghty Puntillo Camilli, SC  
6301 Green Bay Road  
Kenosha, WI 53142  
P: (262) 657-3500  
F: (262) 657-1690

**EXHIBIT A**

(Legal description of Parcel A)

**EXHIBIT B**

(Legal description of Parcel B)

**EXHIBIT C**

(Site Plan)

**ORD. # 14-**

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

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

The property generally located at the southeast corner of STH 165 and 72<sup>nd</sup> Avenue located within U. S. Public Land Survey Section 28 Township 1 North, Range 22 East in the Village of Pleasant Prairie is hereby rezoned as follows: Lot 1 of CSM \_\_\_\_\_ is rezoned from the M-2, General Manufacturing District to the B-2, Community Business District and Lot 2 of CSM \_\_\_\_\_ is rezoned from the M-2, General Manufacturing District to the B-2 (UHO), Community Business District with an Urban Landholding Overlay District.

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

**Adopted this \_\_\_ day of \_\_\_\_\_, 2014.**

**VILLAGE BOARD OF TRUSTEES**

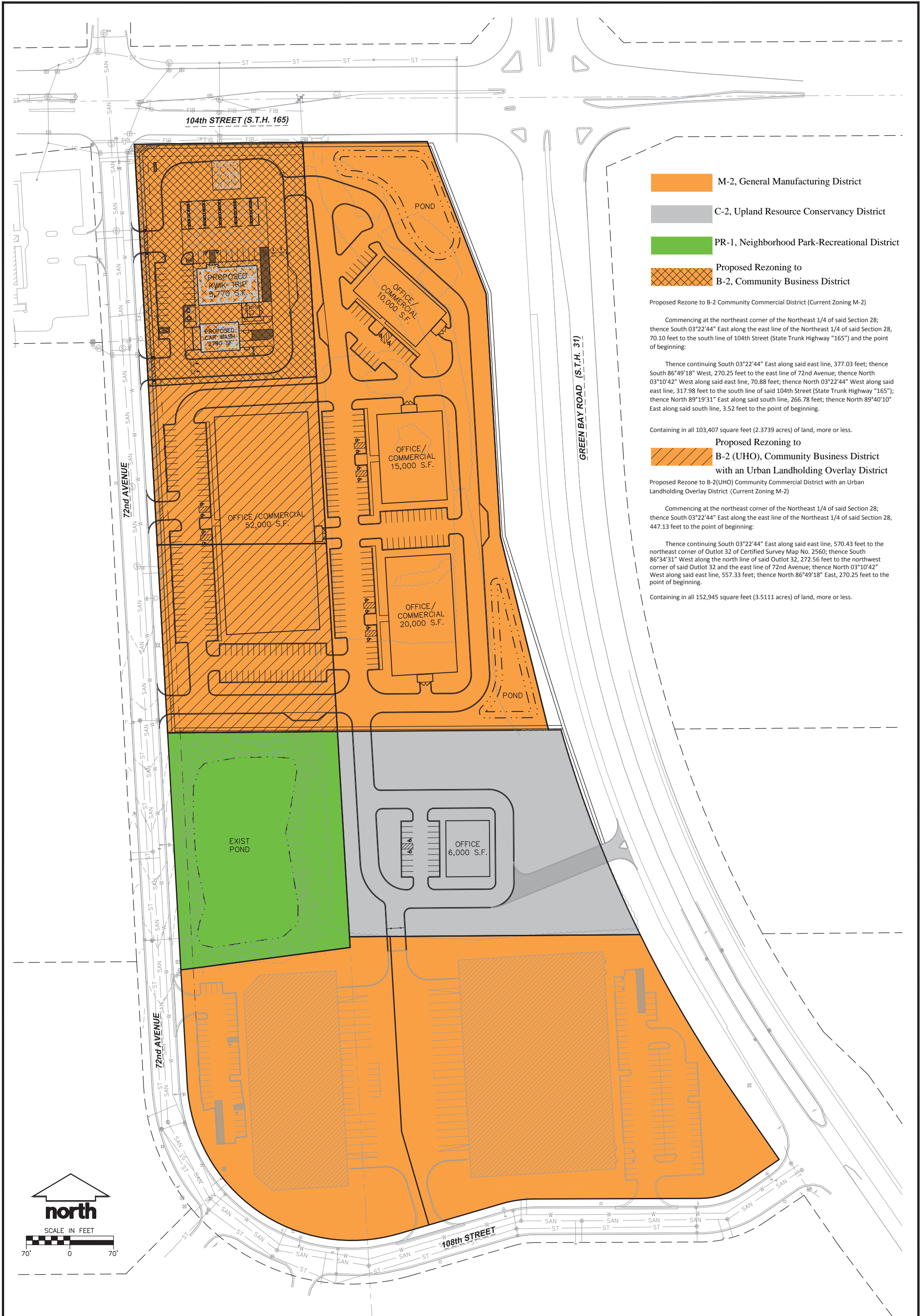
ATTEST:

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

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

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

\_\_\_ - Kwik Trip



- M-2, General Manufacturing District
- C-2, Upland Resource Conservancy District
- PR-1, Neighborhood Park-Recreational District
- Proposed Rezoning to B-2, Community Business District

Proposed Rezone to B-2 Community Commercial District (Current Zoning M-2)

Commencing at the northeast corner of the Northeast 1/4 of said Section 28; thence South 03°22'44" East along the east line of the Northeast 1/4 of said Section 28, 70.10 feet to the south line of 104th Street (State Trunk Highway "165") and the point of beginning;

Thence continuing South 03°22'44" East along said east line, 377.03 feet; thence South 86°49'18" West, 270.25 feet to the east line of 72nd Avenue; thence North 03°10'42" West along said east line, 70.88 feet; thence North 03°22'44" West along said east line, 317.98 feet to the south line of said 104th Street (State Trunk Highway "165"); thence North 89°19'31" East along said south line, 266.78 feet; thence North 89°40'10" East along said south line, 3.52 feet to the point of beginning.

Containing in all 103,407 square feet (2.3739 acres) of land, more or less.

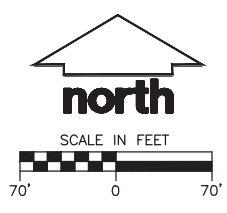
- Proposed Rezoning to B-2 (UHO), Community Business District with an Urban Landholding Overlay District

Proposed Rezone to B-2(UHO) Community Commercial District with an Urban Landholding Overlay District (Current Zoning M-2)

Commencing at the northeast corner of the Northeast 1/4 of said Section 28; thence South 03°22'44" East along the east line of the Northeast 1/4 of said Section 28, 447.13 feet to the point of beginning;

Thence continuing South 03°22'44" East along said east line, 570.43 feet to the northeast corner of Outlot 32 of Certified Survey Map No. 2560; thence South 86°34'31" West along the north line of said Outlot 32, 272.56 feet to the northwest corner of said Outlot 32 and the east line of 72nd Avenue; thence North 03°10'42" West along said east line, 557.33 feet; thence North 86°49'18" East, 270.25 feet to the point of beginning.

Containing in all 152,945 square feet (3.5111 acres) of land, more or less.







**VILLAGE OF PLEASANT PRAIRIE  
SITE AND OPERATIONAL PLAN  
AND CONDITIONAL USE PERMIT ZONING APPLICATION**

**USE THIS FORM FOR:**  
Tenants/Use changes proposing to occupy 50% or more of an existing commercial/industrial building.

To construct a **new** or addition to principal or accessory structure.

Use requires a Conditional Use Permit.

FOR OFFICE USE ONLY	
Application Filed on	20
Preliminary Determination of Completeness on:	20
Revised Plans Submitted:	20
<input type="checkbox"/> Public Hearing Required: Hearing Date:	, 20
Published on: _____ and _____, 20	Notices sent on: _____, 20
Approved by <input type="checkbox"/> Plan Commission on _____	20
<input type="checkbox"/> Zoning Administrator on _____	20
Denied by <input type="checkbox"/> Plan Commission on _____	20
<input type="checkbox"/> Zoning Administrator on _____	20

**SECTION 1: GENERAL INFORMATION**

NAME OF BUSINESS: KWIK TRIP

SITE ADDRESS: \_\_\_\_\_

BRIEF PROJECT DESCRIPTION: CONSTRUCTION OF A NEW CONVENIENCE STORE WITH ADO CAR WASH BUILDING

PROPOSED NUMBER OF FULL TIME EMPLOYEES: \_\_\_\_\_

PROPOSED NUMBER OF PART-TIME EMPLOYEES: \_\_\_\_\_

SITE SIZE: 103,237.2 sq. ft. 2.37 acres

PROPOSED BUILDING SIZE: CONVENIENCE STORE - 5700 sq. ft. HEIGHT: \_\_\_\_\_ ft.  
CAR WASH - 2800

PROPOSED ADDITION SIZE: \_\_\_\_\_ sq. ft. HEIGHT: \_\_\_\_\_ ft.

LEGAL DESCRIPTION: PLEASE SEE ATTACHED DRAWING AND SEPARATE LEGAL

TAX PARCEL NUMBER(S): 92-4-122-281-0115

CURRENT ZONING CLASSIFICATION(S) OF THE PROPERTY: \_\_\_\_\_

- Is a zoning map amendment proposed with this project?  Yes  No
  - If yes, proposed Zoning Classification(s): B2
- Is a zoning text amendment proposed with this project?  Yes  No
  - If yes, provide a copy of the proposed text amendment with this application

3. If property is zoned M-1 or M-2, indicate the Occupancy Type pursuant to the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC). Include all that apply and associated square footage for each classification:

- Factory Group F-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Factory Group F-2 (Low-hazard) \_\_\_\_\_ sq ft
- Storage Group S-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Storage Group S-2 (Low-hazard) \_\_\_\_\_ sq ft
- Business Group B 5700 FOR STORE sq ft  
2800 FOR CARWASH
- High-Hazard Group H\* \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft

*\*If Use and Occupancy Classification is High-Hazard Group H please provide a detailed written narrative that explains the specific use, quantity of storage and handling of the high hazard materials along with appropriate MSSD sheets with this application.*

**PUBLIC SERVICES:**

1. Is the property serviced by Public Sanitary Sewer?  YES  NO
  - If no, the closest public sewer is located at \_\_\_\_\_
2. Is the property serviced by Public Water?  YES  NO
  - If no, the closest public water is located at \_\_\_\_\_
3. Maximum number of gallons/minute of water expected to be used per day is: \_\_\_\_\_

**THIS APPLICATION IS FOR A: (check one)**

- Preliminary Site and Operational Plan: An applicant may apply for preliminary site and operational plan approval in connection with an erosion control permit application for early mass grading, or in connection with an early foundation permit, or for other good cause shown
- New Site and Operational Plan
- Amendment to an existing Site and Operational Plan
  - Date of initial site and operational plan approval: \_\_\_\_\_
  - Date of each approved amendment: \_\_\_\_\_

**SECTION 2: EXISTING USES AND BUILDINGS ON THE SITE**

Are there any existing buildings on the site?  YES  NO

- If yes, provide an attachment that explains the current uses on the property and current uses in each building and if the use(s) is proposed to continue; and the gross floor area and height of each building.
- If no, what is the current use of the property? OPEN GRASSLAND

### SECTION 3: PHOTOGRAPHS

**Standard-sized photographs** (not Polaroid) showing all aspects of the site (e.g. locations of proposed improvements, bodies of navigable water, wetlands, wooded areas, etc.) and of the exterior of structures or other site improvements, together with a statement regarding each photograph, which includes the date the photograph was taken, the location from which it was taken, the direction in which the camera was pointed, and a description of what is shown in the photograph. With respect to all existing signs, the applicant shall file photographs of all existing signs and shall specify in the written statement accompanying each such photograph and show the dimensions of such sign. Digital images are acceptable.

### SECTION 4: CONDITIONAL USE

1. **Does the proposed project require a Conditional Use Permit?**  YES  NO
  - **If no** then skip to Section 5.
  - **If yes**, then continue with this Section.
2. **Are you amending an existing Conditional Use Permit?**  YES  NO
  - **If yes**, provide a copy of the Conditional Use Grant Document you are proposing to amend.
  - **If no**, continue with this Section.
3. If you answered **YES** to either question 1 or 2 above then this application shall include information as to how the proposed project will not impair an adequate supply of light and air to adjacent properties; increase danger of fire; cause traffic congestion or traffic circulation problems; create storm water flooding or drainage; create obnoxious odors, problems or otherwise endanger the public health, safety or welfare; will not hinder, harm or distract the provision of public services; and that the proposed project is not inherently inconsistent with either the district in which it is located or adjoining districts or neighborhoods as required pursuant to the Village Zoning Ordinance.

### SECTION 5: NON-CONFORMING USE

1. **Is any use on the site a nonconforming use?**  YES  NO
  - **If no**, then skip to Section 7.
  - **If yes**, then continue with this section.
2. If you answered **YES** to question 1 above, prima facie proof of each element of legal nonconforming use status shall be submitted to the Village with this application (i.e. that the nonconforming use was legal in its inception, that the use was active and actual and not merely casual, occasional, incidental or accessory when it became nonconforming, that the use has been continuous with no gap of 12 or more consecutive months since it became nonconforming, that no building or structure housing the nonconforming use has been structurally repaired or altered to the extent of fifty (50) percent or more of its assessed value since the use became nonconforming, and that the use has not been changed in nature or physically extended or expanded since becoming nonconforming).

## SECTION 6: PERFORMANCE STANDARDS

Pursuant to the Village Zoning Ordinance, any application for a permit under this ordinance or any use subject to the regulations and standards set forth in the Village Zoning Ordinance shall be accompanied by a sworn statement by the owner of the subject property that said property and use will be operated in accordance with the performance standards set forth in Section 420-38 of the Village Ordinance. Continued compliance with the regulations and standards is required. Violations of such standards shall be remedied as required by the Village Zoning Ordinance.

No land or building in any district shall be operated in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, dirt or other form of air pollution; water pollution; electrical, radioactive or other disturbances; glare; or other substance, condition or element (referred to herein as "dangerous or objectionable elements") in such amount as to adversely affect the surrounding area or premises; provided that any use permitted by this ordinance may be undertaken and maintained if it conforms to the regulations of this subsection limiting dangerous and objectionable elements at the specified point or points of the determination of their existence.

The Village may require additional information be submitted to ensure that the Village Performance Standards are being met.

## SECTION 7: PLAN COMPONENTS

The application shall include a list of all documents, materials or information that are attached to and a part of the application form. Submit eight (8) full-sized and one (1) set reduced to 11" x 17" of all plans and other attachments shall be included as part of this application, except if a component has been waived or deferred in writing by the Village Zoning Administrator. **For specific details related to each of the required information and plans see the attachment entitled "Plan Components and Related Standards" in Section 420-57 of the Village Zoning Ordinance.**

- Application—Applicant, Site, Use, Project and Plan Information
- Application fee
- Operational plan
- Title sheet
- Survey
- Site plan
- Grading and drainage plan
- Building and fire protection plans
- Lighting plan — THIS WILL BE SUBMITTED SEPARATE AS KLIK TRIP CONSULTANT IS ON VACATION
- Landscape and open space plan
- Signage plan
- Industrial/commercial waste survey
- Performance standards compliance
- Additional requirements, as determined by the Village Zoning Administrator, other appropriate Village staff members, or the Village Plan Commission, as appropriate.

Two or more plans may be combined, provided that all of the information submitted on the combined plan is clearly legible, but in no case shall the combined plans fail to show any of the information required for each individual plan as described below, unless such information is waived or deferred pursuant to the Zoning Ordinance.

**SECTION 8: SIGNATURES**

I, (We), hereby certify that all the above statements and all attachments submitted herewith are true and correct to the best of my knowledge. In addition I, (we) understand the requirements and procedures for Site and Operational Plan/Conditional Use Permit approval.

**PROPERTY OWNER:**

Name: FLANT INVESTMENTS LLC  
(Please Print)  
Signature: [Handwritten Signature]  
Address: P. O. BOX 86  
SOMERS WI. 53171  
(City) (State) (Zip)  
Phone: 1-262-515-1965  
Fax: 1-262-947-5598  
E-mail: fete@wi.rr.com  
Date: \_\_\_\_\_

**APPLICANT:**

Name: WILLIAM A MORRIS - ARCHITECT LLC  
(Please Print)  
Signature: [Handwritten Signature]  
Address: 5308 31st AVENUE  
KENOSHA WI. 53144  
(City) (State) (Zip)  
Phone: 1-262-620-0563  
Fax: NA.  
E-mail: WMORRE@wi.rr.com  
Date: \_\_\_\_\_

Is the applicant the owner of the property?  YES  NO ARCHITECT FOR OWNER  
If no, then either proof of the applicant's legal interest in the subject real property (e.g. accepted offer to purchase, lease, etc., which may be appropriately redacted to preserve confidential information) or written authorization signed by the owner for the applicant to act as the owner's agent in connection with the application shall be included with the application.

**DEVELOPER (if Applicable)**

Name: FRANK Trenci  
(Please Print)  
Signature: [Handwritten Signature]  
Address: \_\_\_\_\_  
(City) (State) (Zip)  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Date: \_\_\_\_\_

**USER OR OCCUPANT OF SITE:**

Name: KWIK TRIP  
(Please Print)  
Signature: [Handwritten Signature]  
Address: \_\_\_\_\_  
LA CROSSE WI.  
(City) (State) (Zip)  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Date: \_\_\_\_\_

## Operational plan.

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

(a) A detailed narrative description of the operations, processes and functions of the existing and proposed uses to be conducted in or on the real property constituting the site, together with any diagrams, maps, charts or other visual aids that are helpful in understanding the operations and any potential adverse impacts on neighboring properties. *The proposed use is a convenience store with the sale of gasoline and a car wash facility attached are the drawings for the proposed facility*

(b) A detailed description of the proposed project or activity giving rise to the need for site and operational plan approval and a detailed explanation of how such project or activity relates to the site and to the existing or proposed operations to be conducted in or on the real property constituting the site. *See item I above as the project is as described complete construction of a convenience store and car wash facilities*

(c) Gross floor area of the existing building(s) and/or proposed addition. *Total new construction of a 5700 sq ft convenience store and a 2800 sq. ft car wash building*

(d) Anticipated hours of operation, hours open to the public, and hours of deliveries or shipments. *Hours open to the public are requested to be 5:00 am to 12:00 midnight*

(e) Anticipated startup and total number of full- and part-time employees. *Total 25, 12 full time and 13 part time*

(f) Anticipated number of shifts and the anticipated number of employees per shift. *To be determined*

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

(h) Number of anticipated students, participants or persons to be gathered in places of assembly, if applicable. *Other than people coming to make a purchase this is not a place of assemble and not on a typical school route*

(i) Number of parking spaces required per this chapter and the method used to calculate such number 29  
 *$5700/1000 = 5.7$   $5.7 \times 5 = 28.5$  use 29*

(j) Number of existing and proposed on-site parking spaces to be provided (conventional spaces and handicapped accessible spaces to be stated separately) *Providing 30 total of which 2 are handicapped.*

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

(l) Anticipated daily average and maximum potential number of truck trips to and from the site. *Trucks would be the owners delivery trucks prior to opening and of course small privately owned pickups etc for fueling purposes*

(m) Types and quantities of goods and materials to be made, used or stored on site. *Nothing made at the site products will be delivered ready for sale to the public*

(n) Types of equipment or machinery to be used on site. *Pizza oven Coffee pots Pop corn etc*

(o) Types and quantities of solid or liquid waste materials which will require disposal. *NA*

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

(q) Methods of providing site and building security other than the Village Police Department. *Full security system install by owner with discussion with village on monitoring required*

(r) Description of the methods to be used to maintain all buildings, structures, site improvements and sites in a safe, structurally sound, neat, well cared for and attractive condition. *Daily staff assignments of cleaning and the owner has a building construction / facility dept to over see there buildings*

(s) Description of potential adverse impacts to neighboring properties or public facilities and measures to be taken to eliminate or minimize such adverse impacts. [No adverse impact, in fact a positive addition to the neighborhood offering the public a clean convenient location for products and services](#)

(t) A list of all local, Kenosha County (highway access), State and federal permits or approvals required for the project or activity giving rise to the need for site and operational plan approval. Provide copies of such permits and approvals that have been obtained. [Road opening permit from the Village of Pleasant Prairie for 72<sup>nd</sup> Ave and Road opening permit from Wis. DOT for work in state HWY 165 for drainage connection](#)

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

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

(b) No use shall be conducted in such a way as to violate any of the performance standards set out in § [420-38](#) of this chapter. [agreed](#)

(c) (reserved)

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

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

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

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

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

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

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

(h) Indoor pyrotechnic displays are prohibited. [NA](#)

RECEIVED  
APR 18 2014  
Village of Pleasant Prairie

Operational plan.

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

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

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

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

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

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

27 Employees, 11 Part time, 16 /Full time, this is based on 15 min. intervals of store and our model

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

3 shifts with 5 employees per shift this is based on 15 min interval needs

**(g) Anticipated maximum number of employees on site at any time of the day. Max would be 8**

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

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

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

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

**(l) Anticipated daily average and maximum potential number of truck (fuel, grocery and delivery) trips to and from the site. 1 Fuel truck per day, 1 grocery truck per day, outside delivery 1 per day never on weekends**

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

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

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

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

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

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

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



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

**(u) What is the total anticipated number of gallons per minute per day of water usage? (Needed to size the water meter).**

34 gpm 1" meter for store, 60 gpm 2" meter for car wash and irrigation system design for 1" meter

**(v) What is anticipated construction start date and anticipated occupancy date?**

Start date to be determined with 18 weeks construction after for occupancy

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

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

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

(c) (reserved)

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

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

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

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

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

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

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

(h) Indoor pyrotechnic displays are prohibited.



Typical Bollards



Typical Vacuum/Air Station

Return to: Katrina Karow  
Kenosha Water Utility  
4401 Green Bay Road  
Kenosha, WI 53144  
Email: kkarow@kenosha.org

Date Sent: 4/17/14  
Date Due: \_\_\_\_\_

**VILLAGE OF PLEASANT PRAIRIE  
INDUSTRIAL WASTE SURVEY**

To be submitted to the  
Kenosha Water Utility



**General Information**

1. Facility Name: Kwik TRIP
2. Mailing Address: 1626 Oak St
3. City, State, Zip Code: 54602
4. Site Address: TO BE ASSIGNED
5. Standard Industrial Classification Code (SIC): \_\_\_\_\_
6. Name, Title and Telephone Number of the Authorized Representative and the Company Contact Person Responsible for Environmental Compliance.

*Authorized Representative*  
Name: WILLIAM A. MORRIS  
Title: ARCHITECT  
Phone #: 262-620-0563

*Company Contact*  
Name: BRAD FRY  
Title: P. E. PROFESSIONAL ENG.  
Phone #: 608-781-8988

The authorized representative must be a president, secretary, treasurer, or vice-president of the corporation in charge of a principle business function, or general partner or proprietor, or an individual designated by the aforementioned corporate official. The designated individual must meet the following criteria: (1) the person must be responsible for the overall operation of the facilities from which discharges originate, (2) the person is authorized in writing, and (3) the written authorization is submitted to the POTW.

7. List All Environmental Control Permits Held by or for the Facility.  
UNDER GROUND STORAGE TANKS FOR FUEL  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Operational Characteristics**

1. Existing Number of Employees: Full Time 12 Part Time 13
2. Operational Schedule: Days/Wk \_\_\_\_\_ Hours/Day \_\_\_\_\_ # Shifts \_\_\_\_\_
3. Describe the nature of the business conducted at this facility ( if more than one type ,of business or manufacturing takes place, list all activities): CONVENIENCE STORE AND CAR WASH. SALE OF MOTOR FUEL AND OIL PRODUCTS AS WELL AS HOUSEHOLD PRODUCTS MISCELANOUS FOOD
4. List principal raw materials used: N.A.
5. List products produced and the average rate of production: NA.  
ALL PRODUCTS DELIVERED TO STORE
6. List types of wastes created during production and any by-products produced: FOOD / COFFEE BY-PRODUCTS, CLEANING SUPPLIES AND DIRTY WATER USED TO CLEAN FACILITY
7. Estimate the quantity of water to be used by the facility during a six month period. Record the gallons of water anticipated by this facility. \_\_\_\_\_ gallons.  
Indicate the source of the facility's water: Kenosha \_\_\_\_\_ Pleasant Prairie X  
Meter number or address assigned to water meter(s). TO BE ASSIGNED
8. Type of discharges: Continuous \_\_\_\_\_ Batch \_\_\_\_\_  
If batch was indicated, give the average frequency and approximate volume of any batch discharges: \_\_\_\_\_
9. Describe the uses of water at this facility: DAILY CLEANING OF THE STORE AND WASHROOMS.

**Wastewater Information**

1. A process wastewater IS any wastewater discharged other than for sanitary, non-contact cooling or boiler blow-down purposes. List activities which generate a process wastewater and the time and duration of each discharge.

Wastewater Producing Process	Time and Duration of Discharges
<u>NA</u>	<u>NA</u>
_____	_____
_____	_____
_____	_____

2. For each process wastewater stream list all the materials and pollutants which to believe may be present in the discharge.

NA.

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3. Contact cooling water is cooling water that during the process comes into contact with process material, thereby becoming contaminated. Non-contact cooling water does not come into contact with process materials. Does this facility utilize cooling water?

4. Water volume used and discharged to sanitary sewer. A review of previous water usage bills may be helpful in assigning values to the following flows. If sanitary flow is not metered, provide an estimate based on 20 gallons per day fir each employee (i.e. water balance).

	Gallons per Day		Type of Wastewater Discharge (Continuous, Batch, None)
	Consumed	Discharges	
Sanitary Usage	<u>700</u>	<u>600</u>	_____
Process Wastewater Usage	<u>0</u>	<u>0</u>	_____
Cooling Water Usage	<u>0</u>	<u>0</u>	_____
Other Usage	_____	_____	_____
Total Volume	_____	_____	_____

5. Describe all locations where wastewaters enter the collection system DISCHARGE  
SHALL BE ONE SANITARY MATERIAL WHICH IS INSTALLED  
TO SERVICE THE SITE

6. Is there a sampling manhole on site? No  Yes \_\_\_\_\_  
 If yes, describe the locations: \_\_\_\_\_

7. Are sanitary and process wastewaters separated? No \_\_\_\_\_ Yes \_\_\_\_\_

8. Is boiler blowdown water discharged to the sanitary sewer? No \_\_\_\_\_ Yes \_\_\_\_\_

9. Does your facility haul any process wastewater? No \_\_\_\_\_ Yes \_\_\_\_\_

**Compliance Information**

1. Is there any usage of toxic compounds at the facility? No \_\_\_\_\_ Yes \_\_\_\_\_  
 If yes, list and use check list on last page.

2. Are there any floor drains in the manufacturing or chemical storage area? No \_\_\_\_\_ Yes \_\_\_\_\_

3. Is there a Spill Prevention Control and Countermeasure Plan in effect for this facility?  
 No \_\_\_\_\_ Yes \_\_\_\_\_ If yes, describe procedure: \_\_\_\_\_

5. Is any form of waste water pretreatment practiced at this facility? No X Yes \_\_\_\_\_  
If yes, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. List any specific pretreatment standards that apply to this facility: NA  
\_\_\_\_\_  
\_\_\_\_\_

7. If pretreatment standards are not being met on a consistent basis, describe what additional and maintenance or pretreatment must be performed to achieve compliance.  
\_\_\_\_\_  
\_\_\_\_\_

8. State the estimated timetable (compliance schedule) for the implementation of additional operations and maintenance or for the commencement and completion of major events leading to the construction and operation of the pretreatment facilities required to achieve compliance.  
\_\_\_\_\_  
\_\_\_\_\_

**Submissions**

Include a schematic (print) of the facility that shows the water intake points(s), existing sanitary sewer, discharge points (connection(s) to sanitary collection system), and direction of wastewater flows at the facility. Provide a diagram of water flow through any processes that use water for any purpose.

**Signatory Requirement**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate this information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

WILLIAM A. MORRIS  
Print Name: Authorized Representative

Will A. Morris  
Signature: Authorized Representative

PROJECT ARCHITECT  
Title

4-14-14  
Date

Appendix  
Toxic Pollutants Listed in 40CFR 307(a)

Known Absent	Suspected Present	Known Present	Pollutant
			1 Acenaphthene
			2 Acrolein
			3 Acrylonitrile
			4 Aldrin/Dieldrin
			5 Antimony and compounds
			6 Arsenic and compounds
			7 Asbestos
			8 Benzene
			9 Benzidine
			10 Beryllium and compounds
			11 Cadmium and compounds
			12 Carbon tetrachloride
			13 Chlordane
			14 Chlorinated benzenes
			15 Chlorinated ethanes
			16 Chlorinalkyl ethers
			17 Chlorinated naphthalene
			18 Chlorinated phenols
			19 Chlorofoffil
			20 2-chlorophenol
			21 Chromium and compounds
			22 Copper and compounds
			23 Cyanides
			24 DDT and metabolites
			25 Dichlorobenzenes
			26 Dichlorobenzidine
			27 Dichloroethylenes
			28 2,4-dichlorophenol
			29 Dichloropropane & Dichloropropene
			30 2,4-dimethylphenol
			31 Dinitrotoluene
			32 Diphenylhydrazine
			33 Endosulfan and metabolites

Known Absent	Suspected Present	Known Present	Pollutant
			34 Endrin and metabolites
			35 Ethylbenzene
			36 Fluoranthene
			37 Haloethers
			38 Halomethanes
			39 Heptachlor and metabolites
			40 Hexachlorobutadiene
			41 Hexachlorocyclopentadiene
			42 Hexachlorocyclohexane
			43 Isophrone
			44 Lead and compounds
			45 Mercury and compounds
			46 Naphthalene
			47 Nickel and compounds
			48 Nitrobenzene
			49 Nitrophenols
			50 Nitrosamines
			51 Pentachlorophenol
			52 Phenol
			53 Phthalate esters
			54 Polychlorinated biphenyls (PCBs)
			55 Polynuclear aromatic hydrocarbon
			56 Selenium and compounds'
			57 Silver and compounds
			58 2,3,7,8-Tetrachlorodibenzo- p- dioxin (TCDD)
			59 Tetrachloroethylene
			60 Thallium and compounds
			61 Toluene
			62 Toxaphene
			63 Trichloroethylene
			64 Vinyl chloride
			65 Zinc and compounds



**Kwik Trip**

**Kwik Trip**

**Kwik Trip**

**Kwik Trip**  
UNLEADED 8485 DIESEL  
3.73 3.93 3.43  
**KAROBA**  
**COFFEE**



**SHEET INDEX**

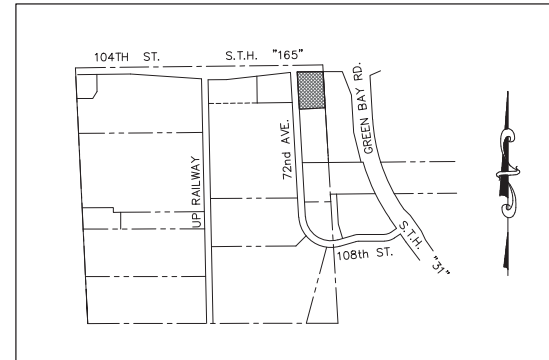
1 OF 24	TITLE SHEET
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3 OF 24	GRADING AND EROSION CONTROL PLAN (SP2)
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24 OF 24	SITE PHOTOMETRIC PLAN (E1-CITY)

# KWIK TRIP

## PLEASANT PRAIRIE, KENOSHA COUNTY, WI

### SITE & OPERATIONAL SUBMITTAL

MAY 20, 2014



**LOCATION MAP**



**SITE BENCHMARK 1:**  
NE COR. OF NE 1/4 OF SEC. 28-1-22  
CONC. ALUM. CAP MON.  
N: 197.794.54  
E: 2,567,904.90  
ELEV.=712.16

**SITE BENCHMARK 2:**  
CHISELED CROSS IN TOP OF CURB, WEST SIDE  
OF 72ND AVENUE, 700' SOUTH OF S.T.H. "165"  
ELEV.=719.09

**BEARING BASIS:**

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. THE EAST LINE OF THE NE 1/4 OF SEC. 28-1-22, WAS USED AS S03°22'44"E



**SITE MAP**

**JOHN STEINBRINK JR., P.E.**  
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8600 GREEN BAY ROAD  
PLEASANT PRAIRIE, WISCONSIN 53158  
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ASSISTANT VILLAGE ADMINISTRATOR  
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LA CROSSE, WI 54602  
PHONE: 608-781-8988  
FAX: 608-781-8960  
EMAIL: BFRY@KWIKTRIP.COM

**OWNER REPRESENTATIVE**  
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REAL ESTATE DEVELOPMENT MANAGER  
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FAX: 608-781-8960  
EMAIL: TMLEZIVA@KWIKTRIP.COM

**CIVIL ENGINEER**  
JSD PROFESSIONAL SERVICES, INC.  
RIZAL ISKANDARSJACH, P.E., R.L.S.  
SENIOR PROJECT ENGINEER  
N22 W2931 NANCYS CT., SUITE 3  
WAUKESHA, WI 53186  
PHONE: 262-513-0666  
FAX: 262-513-1232  
EMAIL: RIZ@JSDINC.COM  
WWW.JSDINC.COM

PARCEL SIZE:	103,446 SF	
STORE FOOTPRINT:	5,770 SF	
CARWASH FOOTPRINT:	2,790 SF	
# OF PUMPS:	13	
# OF PARKING SPACES:	30	
BUILDING AREA:	8,560 SF	8.3%
PAVEMENT AREA:	62,282 SF	60.2%
GREENSPACE AREA:	32,604 SF	31.5%

**GENERAL NOTES:**

- BUILDINGS SHALL BE BUILT TO 2009 IBC, IMC, IECC, IFGC, 2011 NEC AND WI PLUMBING CODES SPS 381-385.
- PRIOR TO CONSTRUCTION, A PRECONSTRUCTION CONFERENCE MUST BE HELD AT THE VILLAGE OFFICES. THE PRECONSTRUCTION CONFERENCE SHALL BE SCHEDULED, MODERATED AND DOCUMENTED BY THE DESIGN ENGINEER OF RECORD.
- ALL HARD SURFACED AREAS INCLUDING THE PARKING LOT AREAS, DRIVE LANES, PAVED AREAS ADJACENT TO THE PUMPS, SIDEWALKS, ETC. SHALL BE CLEAN, NEAT AND FREE FROM POT HOLES OR OTHER CRACKS WHICH PRESENT A SAFETY RISK TO THE PEDESTRIANS OR TRAVELING PUBLIC. THE HARD SURFACE AREAS OF THE SITE SHALL BE MAINTAINED AND FREE OF ANY DEBRIS OR POTHOLES WHICH MAY CAUSE DISTRACTIONS OR DAMAGES TO VEHICLES. ALL PAVEMENT MARKINGS SHALL BE DONE IN YELLOW OR WHITE REFLECTIVE PAINT.
- THE FACILITY SHALL OPERATE IN AN ORGANIZED, WELL-KEPT, CLEAN, NEAT AND PROFESSIONAL MANNER. THE INSIDE OF THE STORE SHALL BE MAINTAINED, PAINTED, AND CLEAN FOR THE PUBLIC. DAMAGED OR DIRTY WALLS, FLOORS, COOLERS, BATHROOMS, PACKING, DISPLAYS LIGHTING, ETC. SHALL BE TAKEN CARE OF OR REPAIRED PROMPTLY. MAL-FUNCTIONING GAS PUMPS SHALL BE REPAIRED AS SOON AS POSSIBLE.
- LANDSCAPING ON THE SITE SHALL BE INSTALLED, WATERED, WEEDED, TRIMMED AND MAINTAINED IN GOOD CONDITION AT ALL TIMES. LITTER AND DEBRIS SHALL BE REMOVED FROM THE LANDSCAPING ON A DAILY BASIS. DAMAGED, DYING OR DEAD PLANT MATERIAL SHALL BE REMOVED AND NEW PLANTINGS SHALL BE INSTALLED ON A REGULAR BASIS. MULCH SHALL BE RAKED IN PLACE ON A REGULAR BASIS AND REPLACED YEARLY.
- ALL SIGNS SHALL BE IN GOOD WORKING ORDER, PROPERLY MAINTAINED, AND REPAIRED AS NEEDED, PAINTED AND WELL-KEPT.
- THE USE, OPERATIONS, SITE, BUILDING AND STRUCTURES SHALL BE DESIGNED, LAID OUT, CONSTRUCTED AND MAINTAINED IN FULL COMPLIANCE WITH THE APPROVED SITE AND OPERATIONAL PLANS, THE CONDITIONAL USE PERMIT, LIQUOR AND TOBACCO LICENSES AND ALL OTHER APPLICABLE PROVISIONS OF THE VILLAGE MUNICIPAL CODE AND ALL OTHER APPLICABLE VILLAGE, COUNTY, STATE BUILDING CODES, FIRE & RESCUE ORDINANCES AND NATIONAL AND FEDERAL REGULATIONS.
- THE USE, OPERATIONS, SITE, BUILDING AND STRUCTURES SHALL BE CONDUCTED IN SUCH A WAY AS TO CONSTITUTE A PUBLIC OR PRIVATE NUISANCE OR TO VIOLATE ANY OF THE PERFORMANCE STANDARDS SET OUT IN SECTION 420-38 OF THE VILLAGE ZONING ORDINANCE.
- THE SITE, BUILDING AND GARBAGE DUMPSTER STRUCTURE SHALL BE MAINTAINED IN A CLEAN, NEAT, PRESENTABLE, AESTHETICALLY PLEASING, ODOR-FREE, STRUCTURALLY SOUND AND NONHAZARDOUS CONDITION INSIDE AND OUTSIDE OF THE STORE AT ALL TIMES. ALL LITTER AND DEBRIS OUTSIDE OF THE STRUCTURES SHALL BE PROMPTLY REMOVED ON A DAILY BASIS. THE GARBAGE DUMPSTER ENCLOSURE DOORS SHALL NOT BE LEFT OPEN AND ON GARBAGE DAY THEY SHALL BE PROMPTLY CLOSED AFTER THE PICK-UP OF GARBAGE.
- THE HANDICAPPED PARKING SPACE SHALL BE APPROPRIATELY SIGNED, PAINTED ON THE PAVEMENT AND MAINTAINED PURSUANT TO ADA REQUIREMENTS.
- ALL EXTERIOR MECHANICAL UNITS, ANTENNAE AND/OR SATELLITE DISHES, WHETHER ROOF-MOUNTED OR GROUND-MOUNTED, SHALL BE SCREENED FROM THE GENERAL PUBLIC'S VIEW.
- THERE SHALL BE NO OUTSIDE SALE OR DISPLAY OF MERCHANDISE, EXCEPT FOR THE ONE (1) ICE DISPENSER AND ONE (1) LP DISPENSER. ANY ICE OR LP DISPENSERS/CABINETS SHALL BE MAINTAINED (NOT RUSTED IN APPEARANCE) AND SHALL NOT BLOCK ANY WINDOWS OR DOORWAYS.
- NO MERCHANDISE SHALL BE STACKED OR PILED INSIDE THE STORE IN FRONT OF ANY WINDOWS.
- ONLY TYPICAL HOUSEHOLD CLEANERS USED IN THE MAINTENANCE OF THE BUSINESS IN ORDER TO CLEAN THE FOOD PREPARATION AND SERVICE AREAS, FLOORS AND BATHROOMS. THE ONLY WASTE THAT IS DISPOSED OF AT THE SITE IS SPOILED FOOD AND DRINK PRODUCTS, GREY WATER WASTE AND SANITARY WASTE FROM THE BATHROOMS.
- THE OWNER SHALL OBTAIN AND MAINTAIN ALL PERMITS AND LICENSES REQUIRED TO OPERATE ITS BUSINESS. THOSE PERMITS AND LICENSES ALLOW FOR THE SALE OF PETROLEUM, ALCOHOL, TOBACCO, FOOD, AND RELATED ITEMS SOLD IN ITS BUSINESS, ISSUED FROM THE VARIOUS GOVERNMENT AGENCIES. CONTACT THE VILLAGE CLERK JANE ROMANOWSKI FOR LIQUOR OR TOBACCO LICENSE APPLICATIONS AND TO DISCUSS THE PROCESS TO OBTAIN SAID LICENSES. CONTACT THE KENOSHA COUNTY HEALTH DEPARTMENT REGARDING FOOD RELATED LICENSES.

**WILLIAM A. MORRIS ARCHITECT, LLC**  
5308 31ST AVENUE  
KENOSHA, WI 53144



**STORES**



**STORES**

KWIK TRIP, Inc.  
P.O. BOX 2107  
1626 OAK STREET  
LA CROSSE, WI 54602-2107  
PH. (608) 781-8988  
FAX (608) 781-8960

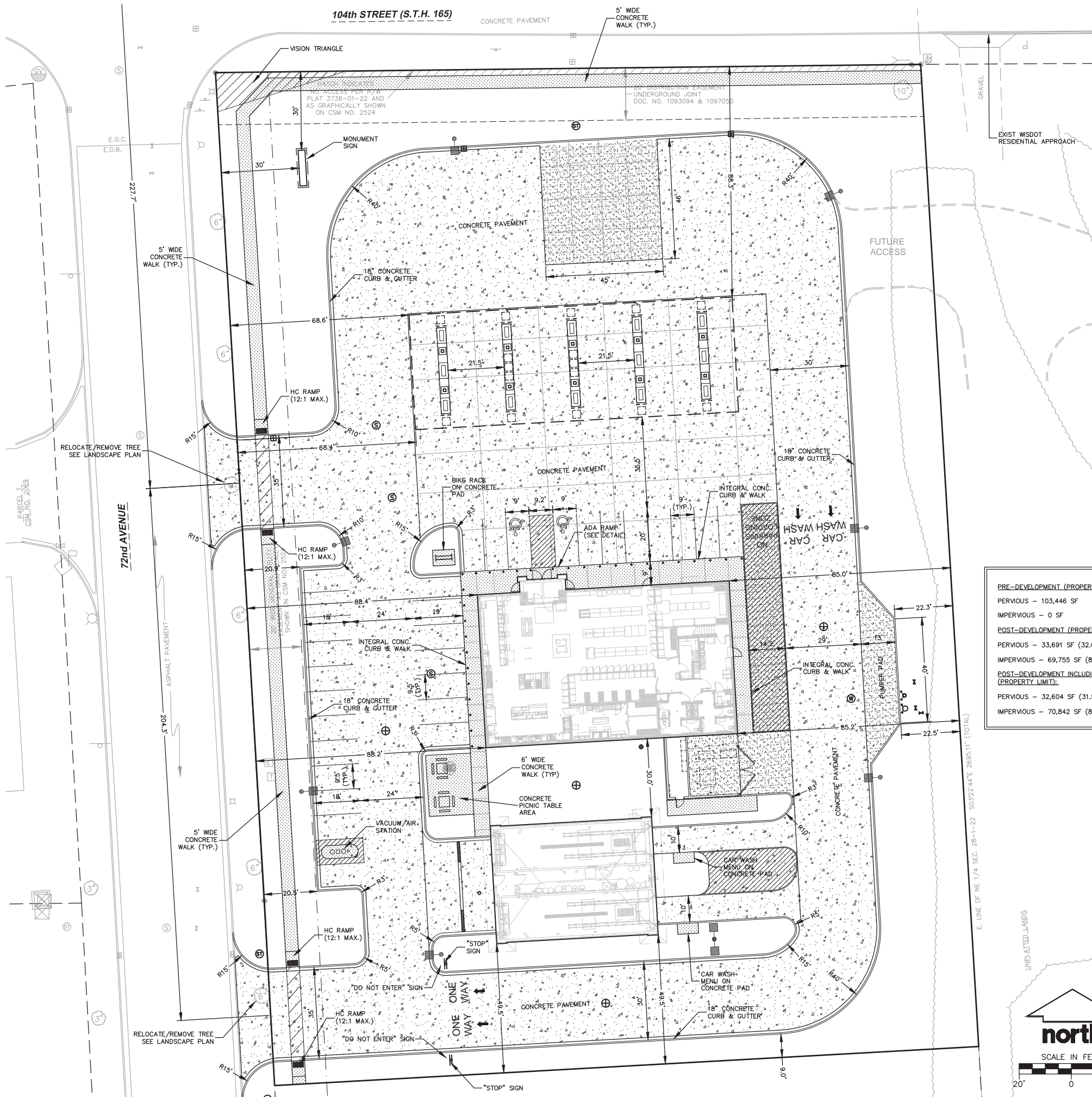
**SITE AND OPERATIONAL PLAN PACKAGE**

**CONVENIENCE STORE #230 WITH DOUBLE BAY CARWASH**

STH 165 AND 72ND AVE. VILLAGE OF PLEASANT PRAIRIE, WI

#	DATE	DESCRIPTION
1	5/20/14	VILLAGE SUBMITTAL

DRAWN BY	JJS/RWI
SCALE	
JSD PROJ. NO.	09-37958
DATE	2014-04-04
SHEET	1 OF 24



**PAVING NOTES**

1. ALL PAVING SHALL CONFORM TO STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION AND APPLICABLE VILLAGE OF PLEASANT PRAIRIE ORDINANCES.
2. CONCRETE PAVING SPECIFICATIONS-  
 CODES AND STANDARDS - THE PLACING, CONSTRUCTION AND COMPOSITION OF THE CONCRETE PAVEMENT SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 415 AND 416 OF THE STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, EDITION OF 2009. HEREAFTER, THIS PUBLICATION WILL BE REFERRED TO AS STATE HIGHWAY SPECIFICATIONS.  
 CRUSHED AGGREGATE BASE COURSE - THE BASE COURSE SHALL CONFORM TO SECTIONS 301 AND 305, STATE HIGHWAY SPECIFICATIONS.  
 SURFACE PREPARATION - NOTIFY CONTRACTOR OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.

**PAVEMENT STRIPING NOTES**

1. CONTRACTOR SHALL CONSULT STRIPING COLOR WITH OWNER PRIOR TO CONSTRUCTION.
2. PROVIDE CONTRACTOR GRADE ACRYLIC STRIPING PAINT FOR NEW ASPHALT OR COATED ASPHALT. ALL STRIPING SHALL BE APPLIED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
3. THOROUGHLY CLEAN SURFACES FREE OF DIRT, SAND, GRAVEL, OIL AND OTHER FOREIGN MATTER. CONTRACTOR RESPONSIBLE TO INSPECT PAVEMENTS FOR CONDITIONS AND DEFECTS THAT WILL ADVERSELY AFFECT QUALITY OF WORK, AND WHICH CANNOT BE PUT INTO AN ACCEPTABLE CONDITION THROUGH NORMAL PREPARATORY WORK AS SPECIFIED.
4. DO NOT PLACE MARKING OVER UNSOUND PAVEMENTS. IF THESE CONDITIONS EXIST, NOTIFY OWNER. STARTING INSTALLATION CONSTITUTES CONTRACTOR'S ACCEPTANCE OF SURFACE AS SUITABLE FOR INSTALLATION.
5. LAYOUT MARKINGS USING GUIDE LINES, TEMPLATES AND FORMS. STENCILS AND TEMPLATES SHALL BE PROFESSIONALLY MADE TO INDUSTRY STANDARDS. "FREE HAND" PAINTING OF ARROWS, SYMBOLS, OR WORDING SHALL NOT BE ALLOWED. APPLY STRIPES STRAIGHT AND EVEN.
6. PROTECT ADJACENT CURBS, WALKS, FENCES, AND OTHER ITEMS FROM RECEIVING PAINT.
7. APPLY MARKING PAINT AT A RATE OF ONE (1) GALLON PER THREE TO FOUR HUNDRED (300-400) LINEAL FEET OF FOUR (4) INCH WIDE STRIPES. (OR TO MFG. SPECIFICATION)
8. BARRICADE MARKED AREAS DURING INSTALLATION AND UNTIL THE MARKING PAINT IS DRIED AND READY FOR TRAFFIC.
9. ALL HANDICAPPED ACCESSIBLE PARKING SHALL BE LOCATED PER 2009 IBC 1106.6

**NOTE**

REFER TO GEOTECH ENGINEER OF RECORD FOR PAVEMENT THICKNESS RECOMMENDATION.

**PAVEMENT STRUCTURE**

- 8" CONCRETE PAVEMENT  
 6" CRUSHED AGGREGATE BASE COURSE (1-1/2" DENSE GRADED LIMESTONE)  
 8" CONCRETE (CONSULT OWNER FOR REINFORCEMENT, IF ANY, AND MIX DESIGN)
- 6" CONCRETE PAVEMENT  
 6" CRUSHED AGGREGATE BASE COURSE (1-1/2" DENSE GRADED LIMESTONE)  
 6" CONCRETE (CONSULT OWNER FOR REINFORCEMENT, IF ANY, AND MIX DESIGN)
- CONCRETE SIDEWALK  
 6" CRUSHED AGGREGATE BASE COURSE  
 5" CONCRETE

**LEGEND**

- ⊙ SANITARY SEWER MANHOLE
- ⊕ STORM MANHOLE
- ⊕ CATCH BASIN ROUND
- ⊕ CATCH BASIN SQUARE
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ GAS VALVE
- ⊕ LIGHT POLE
- ⊕ TELEPHONE PEDESTAL
- ⊕ ELECTRICAL MANHOLE
- ⊕ SIGN
- ⊕ POWER POLE
- ⊕ GUY WIRE
- SAN — SANITARY SEWER
- W — WATER MAIN
- ST — STORM SEWER
- G — UNDERGROUND GAS
- E — UNDERGROUND ELECTRIC
- T — UNDERGROUND TELEPHONE
- FIB — UNDERGROUND FIBER OPTICS
- OH — OVERHEAD UTILITY
- ⊙ CONIFEROUS TREE
- ⊙ DECIDUOUS TREE

**PRE-DEVELOPMENT (PROPERTY LIMIT):**

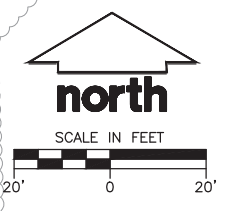
PERVIOUS - 103,446 SF  
 IMPERVIOUS - 0 SF

**POST-DEVELOPMENT (PROPERTY LIMIT):**

PERVIOUS - 33,691 SF (32.6% GREEN SPACE)  
 IMPERVIOUS - 69,755 SF (8,500 SF STORE/CARWASH)

**POST-DEVELOPMENT INCLUDING FUTURE ACCESS (PROPERTY LIMIT):**

PERVIOUS - 32,604 SF (31.5% GREEN SPACE)  
 IMPERVIOUS - 70,842 SF (8,500 SF STORE/CARWASH)



**SHEET INDEX**

SP1	SITE LAYOUT AND PAVEMENT ID PLAN
SP2	GRADING AND EROSION CONTROL PLAN
SP3	UTILITY PLAN
SP4	NOTES AND DETAILS
SP5	NOTES AND DETAILS

**KWIK TRIP**  
**STORES**  
**KWIK STAR**  
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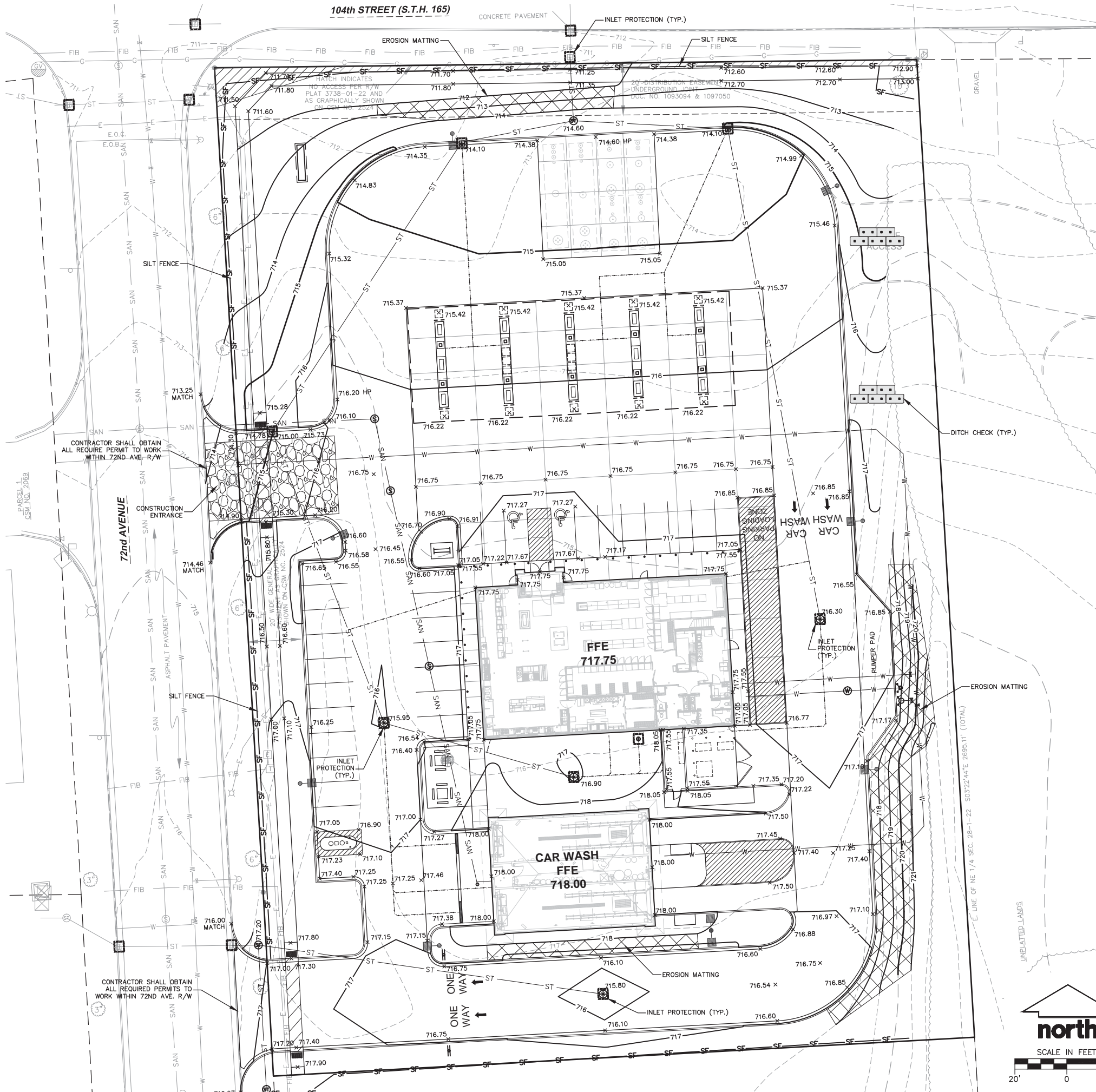
**JSD Professional Services, Inc.**  
 Engineers • Surveyors • Planners  
 MILWAUKEE REGIONAL OFFICE  
 N22 W22931 NANCY'S COURT SUITE 3  
 WAUKESHA, WISCONSIN 53186  
 262.513.0666 PHONE | 262.513.1232 FAX  
 MADISON | MILWAUKEE | KENOSHA | APPLETON

**SITE LAYOUT AND PAVEMENT ID PLAN**  
**CONVENIENCE STORE #230 WITH DOUBLE BAY CARWASH**  
 STH 165 AND 72ND AVE.  
 VILLAGE OF PLEASANT PRAIRIE, WI

#	DATE	DESCRIPTION
1	5/20/14	VILLAGE SUBMITTAL

DRAWN BY: JJS/RWI  
 SCALE: 1" = 20'  
 JSD PROJ. NO.: 09-3795B  
 DATE: 2014-04-04

SHEET **2 OF 24** SP1



**CONSTRUCTION SITE SEQUENCING**

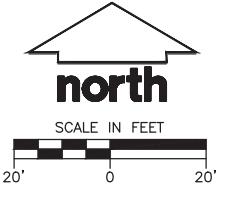
1. INSTALL PERIMETER SILT FENCE, EXISTING INLET PROTECTION, AND TEMPORARY CONSTRUCTION ENTRANCE.
  2. STRIP AND STOCKPILE TOPSOIL, INSTALL SILT FENCE AROUND PERIMETER OF STOCKPILE.
  3. CONDUCT ROUGH GRADING EFFORTS.
  4. INSTALL UTILITY PIPING AND STRUCTURES, IMMEDIATELY INSTALL INLET PROTECTION.
  5. COMPLETE FINAL GRADING, INSTALLATION OF GRAVEL BASE COURSES, PLACEMENT OF CURBS, PAVEMENTS, WALKS, ETC.
  6. PLACE TOPSOIL AND IMMEDIATELY STABILIZE DISTURBED AREAS WITH EROSION CONTROLS.
  7. EROSION CONTROL MEASURES SHALL BE REMOVED ONLY AFTER SITE CONSTRUCTION IS COMPLETE WITH ALL SOIL SURFACES HAVING AN ESTABLISHED VEGETATIVE COVER.
- CONTRACTOR MAY MODIFY SEQUENCING AFTER ITEM 1 AS NEEDED TO COMPLETE CONSTRUCTION IF EROSION CONTROLS ARE MAINTAINED IN ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.

**GRADING NOTES**

1. CONTRACTOR SHALL VERIFY ALL GRADES, ENSURE ALL AREAS DRAIN PROPERLY AND REPORT ANY DISCREPANCIES TO JSD PROFESSIONAL SERVICES, INC. PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.
2. ALL EXISTING CONTOURS REPRESENT EXISTING SURFACE GRADES UNLESS OTHERWISE NOTED. ALL PROPOSED GRADES SHOWN ARE FINISH SURFACE GRADES UNLESS OTHERWISE NOTED.
3. ALL EXCAVATIONS AND MATERIAL PLACEMENT SHALL BE COMPLETED TO DESIGN ELEVATIONS AS DEPICTED IN THE PLANS.
  - CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPUTATION(S) OF ALL GRADING QUANTITIES, WHILE JSD ATTEMPTS TO PROVIDE A COST EFFECTIVE APPROACH TO BALANCE EARTHWORK, GRADING DESIGN IS BASED ON MANY FACTORS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING STANDARD OF CARE, THEREFORE NO GUARANTEE CAN BE MADE FOR A BALANCED SITE.
  - THE CONTRACTOR MAY SOLICIT APPROVAL FROM ENGINEER/OWNER TO ADJUST FINAL GRADES FROM DESIGN GRADES TO PROVIDE AN OVERALL SITE BALANCE AS A RESULT OF FIELD CONDITIONS.
4. GRADING ACTIVITIES SHALL BE IN A MANNER TO ALLOW POSITIVE DRAINAGE ACROSS DISTURBED SOILS, WHICH MAY INCLUDE EXCAVATION OF TEMPORARY DITCHES TO PREVENT PONDING, AND IF NECESSARY PUMPING TO ALLEVIATE PONDING. CONTRACTOR SHALL PREVENT SURFACE WATER FROM ENTERING INTO EXCAVATIONS, IN NO WAY SHALL OWNER BE RESPONSIBLE FOR REMEDIATION OF UNSUITABLE SOILS CREATED/ORIGINATED AS A RESULT OF IMPROPER SITE GRADING OR SEQUENCING. CONTRACTOR SHALL SEQUENCE GRADING ACTIVITIES TO LIMIT EXPOSURE OF DISTURBED SOILS DUE TO WEATHER.
5. THE CONTRACTOR IS RESPONSIBLE FOR MEETING MINIMUM COMPACTION STANDARDS. THE CONTRACTOR SHALL NOTIFY ENGINEER/OWNER IF PROPER COMPACTION CANNOT BE OBTAINED. THE PROJECT'S GEOTECHNICAL CONSULTANT SHALL DETERMINE WHICH IN-SITU SOILS ARE TO BE CONSIDERED UNSUITABLE SOILS. THE ENGINEER/OWNER AND GEOTECHNICAL TESTING CONSULTANT WILL DETERMINE IF REMEDIAL MEASURES WILL BE NECESSARY.
6. IN THE EVENT THAT ANY MOISTURE-DENSITY TEST(S) FAIL TO MEET SPECIFICATION REQUIREMENTS, THE CONTRACTOR SHALL PERFORM CORRECTIVE WORK AS NECESSARY TO BRING THE MATERIAL INTO COMPLIANCE AND RETEST THE FAILED AREA AT NO COST TO THE OWNER.
7. WITH THE AUTHORIZATION OF THE ENGINEER/OWNER, MATERIAL THAT IS TOO WET TO PERMIT PROPER COMPACTION MAY BE SPREAD ON FILL AREAS IN AN EFFORT TO DRY. CONTRACTOR SHALL CLEARLY FIELD MARK THE EXTERIOR LIMITS OF SPREAD MATERIAL WITH PAINTED LATH AND SUBMIT A PLAN TO THE ENGINEER/OWNER THAT IDENTIFIES THE LIMITS. UNDER NO CONDITION SHALL THE SPREAD MATERIAL DEPTH EXCEED THE MORE RESTRICTIVE OF: THE EFFECTIVE TREATMENT DEPTH OF MACHINERY THAT WILL BE USED TO TURN OVER THE SPREAD MATERIAL; OR THE MAXIMUM COMPACTION LIFT DEPTH.
8. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY ENGINEER/OWNER IF GROUNDWATER IS ENCOUNTERED DURING EXCAVATION.
9. CONTRACTOR IS SOLELY RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ADEQUATE AND SAFE TEMPORARY SHORING, BRACING, RETENTION STRUCTURES, AND EXCAVATIONS.
10. THE SITE SHALL BE COMPLETED TO WITHIN 0.10-FT (+/-) OF THE PROPOSED GRADES AS INDICATED WITHIN THE PLANS PRIOR TO PLACEMENT OF TOPSOIL OR STONE. CONTRACTOR IS ENCOURAGED TO SEQUENCE CONSTRUCTION SUCH THAT THE SITE IS DIVIDED INTO SMALLER AREAS TO ALLOW STABILIZATION OF DISTURBED SOILS IMMEDIATELY UPON COMPLETION OF INDIVIDUAL SMALLER AREAS.
11. CONTRACTOR SHALL CONTACT "DIGGER'S HOTLINE" FOR LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES AND SHALL BE RESPONSIBLE FOR PROTECTING SAID UTILITIES FROM ANY DAMAGE DURING CONSTRUCTION.
12. CONTRACTOR SHALL PROTECT INLETS AND ADJACENT PROPERTIES WITH SILT FENCING OR APPROVED EROSION CONTROL METHODS UNTIL CONSTRUCTION IS COMPLETED. CONTRACTOR SHALL PLACE SILT FENCING AT DOWN SLOPE SIDE OF GRADING LIMITS.
13. CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO ANY EXISTING FACILITIES OR UTILITIES. ANY DAMAGE SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE EXPENSE OF THE CONTRACTOR.
14. WORK WITHIN ANY ROADWAY RIGHT-OF-WAY SHALL BE COORDINATED WITH THE APPROPRIATE MUNICIPAL OFFICIAL PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES. GRADING WITHIN RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY SAID OFFICIALS. RESTORATION OF RIGHT-OF-WAY IS CONSIDERED INCIDENTAL AND SHALL BE INCLUDED IN THE COST OF GRADING. RESTORATION SHALL INCLUDE ALL ITEMS NECESSARY TO RESTORE RIGHT-OF-WAY IN-KIND INCLUDING LANDSCAPING.
15. CONTRACTOR SHALL COMPLY WITH ALL VILLAGE AND/OR STATE CONSTRUCTION STANDARDS/ORDINANCES.
16. SEE SHEET SP4 FOR ADDITIONAL EROSION AND SEDIMENT CONTROL NOTES.

**LEGEND**

- ⊙ SANITARY SEWER MANHOLE
- ⊕ STORM MANHOLE
- ⊕ CATCH BASIN ROUND
- ⊕ CATCH BASIN SQUARE
- ⊕ FIRE HYDRANT
- x WATER VALVE
- ⊕ GAS VALVE
- ⊕ LIGHT POLE
- ⊕ TELEPHONE PEDESTAL
- ⊕ ELECTRICAL MANHOLE
- ⊕ SIGN
- ⊕ POWER POLE
- ⊕ GUY WIRE
- SAN — SANITARY SEWER
- FM — SANITARY FORCE MAIN
- W — WATER MAIN
- ST — STORM SEWER
- G — UNDERGROUND GAS
- E — UNDERGROUND ELECTRIC
- T — UNDERGROUND TELEPHONE
- FIB — UNDERGROUND FIBER OPTICS
- OH — OVERHEAD UTILITY
- SF — SILT FENCE
- ☀ CONIFEROUS TREE
- ☀ DECIDUOUS TREE



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**STORES**

**KWIK STAR**  
**STORES**

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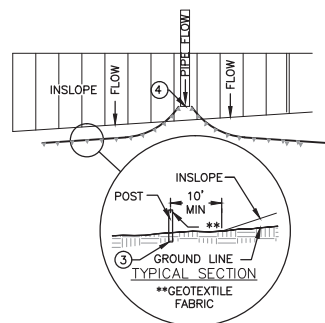
**JSD Professional Services, Inc.**  
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**GRADING AND EROSION CONTROL PLAN**  
**CONVENIENCE STORE #230 WITH DOUBLE BAY CARWASH**  
 STH 165 AND 72ND AVE.  
 VILLAGE OF PLEASANT PRAIRIE, WI

#	DATE	DESCRIPTION
1	5/20/14	VILLAGE SUBMITTAL

DRAWN BY: JJS/RWI  
 SCALE: 1" = 20'  
 JSD PROJ. NO.: 09-37958  
 DATE: 2014-04-04  
 SHEET: 3 OF 24 SP2

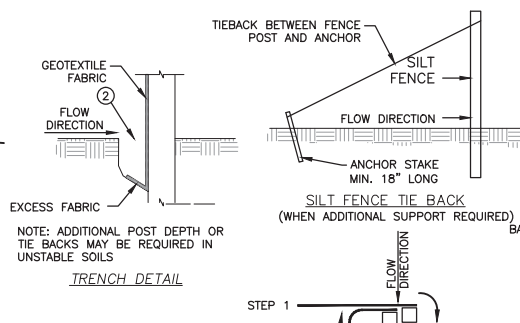




SILT FENCE ALONG SLOPES & OUTFALLS

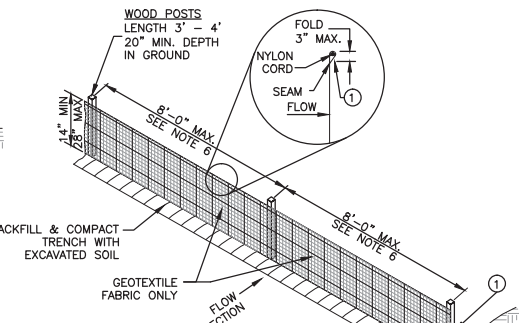
GENERAL NOTES

- SILT FENCE SHALL BE ANCHORED BY SPREADING AT LEAST 8-INCHES OF FABRIC IN A 4-INCH WIDE AND 6-INCH DEEP TRENCH OR 6-INCH DEEP V-TRENCH ON THE UPSLOPE SIDE OF THE FENCE. TRENCHES SHALL NOT BE EXCAVATED WIDER OR DEEPER THAN NECESSARY FOR PROPER INSTALLATION.
- FOLD MATERIAL TO FIT TRENCH AND BACKFILL AND COMPACT TRENCH WITH EXCAVATED SOIL.
- WOOD POSTS SHALL BE A MINIMUM SIZE OF 1.125-INCHES x 1.125-INCHES OF DRIED OAK OR HICKORY.
- SILT FENCE TO EXTEND ABOVE THE TOP OF PIPE.
- SILT FENCE CONSTRUCTION AND GEOTEXTILE FABRIC SHALL CONFORM TO WDMR TECHNICAL STANDARD 1056.
- POST SPACING SHALL BE SELECTED BASED ON GEOTEXTILE FABRIC (8- FEET FOR WOVEN & 3- FEET FOR NON-WOVEN)



SILT FENCE DETAIL

N.T.S.



SILT FENCE DETAIL

N.T.S.

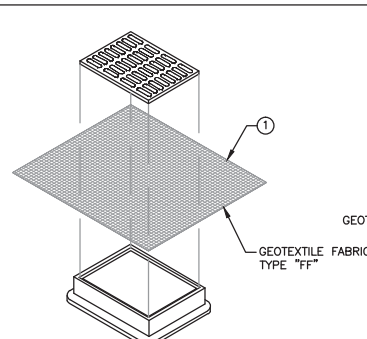
GENERAL NOTES AND SPECIFICATIONS

- THE INTENTION OF THE PLANS AND SPECIFICATIONS IS TO SET FORTH PERFORMANCE AND CONSTRUCTION MATERIAL STANDARDS FOR THE PROPER EXECUTION OF WORK. ALL WORKS CONTAINED WITHIN THE PLANS AND SPECIFICATIONS SHALL BE COMPLETED IN ACCORDANCE WITH ALL REQUIREMENTS FROM LOCAL, STATE, FEDERAL OR OTHER GOVERNING AGENCIES LAWS, REGULATIONS, JURISDICTIONAL ORDINANCES/CODES/RULES/ETC., AND THE OWNER'S DIRECTION.
- THE CONTRACTOR IS RESPONSIBLE FOR PERFORMING ANY ADDITIONAL SOILS INVESTIGATIONS THEY FEEL IS NECESSARY FOR THE PROPER EVALUATION OF THE SITE FOR PURPOSES OF PLANNING, BIDDING, OR CONSTRUCTING THE PROJECT AT NO ADDITIONAL COST TO THE OWNER.
- THE CONTRACTOR IS RESPONSIBLE TO REVIEW AND UNDERSTAND ALL COMPONENTS OF THE PLANS AND SPECIFICATIONS, INCLUDING FIELD VERIFYING SOIL CONDITIONS, PRIOR TO SUBMISSION OF A BID PROPOSAL.
- THE CONTRACTOR SHALL PROMPTLY REPORT ANY ERRORS OR AMBIGUITIES DISCOVERED AS PART OF THEIR REVIEW OF PLANS, SPECIFICATIONS, REPORTS AND FIELD INVESTIGATIONS.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE COMPUTATION OF QUANTITIES AND WORK REQUIRED TO COMPLETE THIS PROJECT. THE CONTRACTOR'S BID SHALL BE BASED ON THEIR OWN COMPUTATIONS AND UNDER NO CIRCUMSTANCES BE BASED ON THE ENGINEER'S ESTIMATE.
- QUESTIONS/CLARIFICATIONS WILL BE INTERPRETED BY ENGINEER/OWNER PRIOR TO THE AWARD OF CONTRACT. ENGINEER/OWNER WILL SUBMIT OFFICIAL RESPONSES IN WRITING. INTERPRETATIONS PRESENTED IN OFFICIAL RESPONSES SHALL BE BINDING ON ALL PARTIES ASSOCIATED WITH THE CONTRACT. IN NO WAY SHALL WORD-OF-MOUTH DIALOG CONSTITUTE AN OFFICIAL RESPONSE.
- PRIOR TO START OF WORK, CONTRACTOR SHALL BE COMPLETELY FAMILIAR WITH ALL CONDITIONS OF THE SITE, AND SHALL ACCOUNT FOR CONDITIONS THAT AFFECT, OR MAY AFFECT CONSTRUCTION INCLUDING, BUT NOT LIMITED TO, LIMITATIONS OF WORK ACCESS, SPACE LIMITATIONS, OVERHEAD OBSTRUCTIONS, TRAFFIC PATTERNS, LOCAL REQUIREMENTS, ADJACENT ACTIVITIES, ETC. FAILURE TO CONSIDER SITE CONDITIONS SHALL NOT BE CAUSE FOR CLAIM OF JOB EXTRAS.
- COMMENCEMENT OF CONSTRUCTION SHALL EXPLICITLY CONFIRM THAT THE CONTRACTOR HAS REVIEWED THE PLANS AND SPECIFICATIONS IN THEIR ENTIRETY AND CERTIFIES THAT THEIR SUBMITTED BID PROPOSAL CONTAINS PROVISIONS TO COMPLETE THE PROJECT, WITH THE EXCEPTION OF UNFORESEEN FIELD CONDITIONS; ALL APPLICABLE PERMITS HAVE BEEN OBTAINED; AND CONTRACTOR UNDERSTANDS ALL OF THE REQUIREMENTS OF THE PROJECT.
- SHOULD ANY DISCREPANCIES OR CONFLICTS IN THE PLANS OR SPECIFICATIONS BE DISCOVERED AFTER THE AWARD OF CONTRACT, ENGINEER SHALL BE NOTIFIED IN WRITING IMMEDIATELY AND CONSTRUCTION OF ITEMS AFFECTED BY THE DISCREPANCIES/CONFLICTS SHALL NOT COMMENCE, OR CONTINUE, UNTIL A WRITTEN RESPONSE FROM ENGINEER/OWNER IS DISTRIBUTED. IN THE EVENT OF A CONFLICT BETWEEN REFERENCED CODES, STANDARDS, SPECIFICATIONS AND PLANS, THE ONE ESTABLISHING THE MOST STRINGENT REQUIREMENTS SHALL BE FOLLOWED.
- THE CONTRACTOR SHALL, AT ITS OWN EXPENSE, OBTAIN ALL NECESSARY PERMITS AND LICENSES TO COMPLETE THE PROJECT. OBTAINING PERMITS, OR DELAYS IN OBTAINING PERMITS, IS NOT CAUSE FOR DELAY OF THE CONTRACT OR SCHEDULE. CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS.
- THE CONTRACTOR SHALL NOTIFY ALL INTERESTED GOVERNING AGENCIES, UTILITY COMPANIES AFFECTED BY THIS CONSTRUCTION PROJECT, AND "DIGGER'S HOTLINE" IN ADVANCE OF CONSTRUCTION TO COMPLY WITH ALL JURISDICTIONAL ORDINANCES/CODES/RULES/ETC., PERMIT STIPULATIONS, AND OTHER APPLICABLE STANDARDS. CONTRACTOR IS RESPONSIBLE TO DETERMINE WHICH ORDINANCES/CODES/RULES/ETC. ARE APPLICABLE.
- SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE TO INITIATE, INSTITUTE, ENFORCE, MAINTAIN, AND SUPERVISE ALL SAFETY PRECAUTIONS AND JOB SITE SAFETY PROGRAMS IN CONNECTION WITH THE WORK.
- CONTRACTOR SHALL KEEP THE JOBSITE CLEAN AND ORDERLY AT ALL TIMES. ALL LOCATIONS OF THE SITE SHALL BE KEPT IN A WORKING MANNER SUCH THAT DEBRIS IS REMOVED CONTINUOUSLY AND ALL RESPECTIVE CONTRACTORS OPERATE UNDER GENERAL "GOOD HOUSEKEEPING."
- THE CONTRACTOR SHALL INDEMNIFY THE OWNER, JSD, AND THEIR AGENTS FROM ALL LIABILITY INVOLVED WITH THE CONSTRUCTION, INSTALLATION, AND TESTING OF THE WORK ON THIS PROJECT.
- ALL FIELD/DRAIN TILE ENCOUNTERED DURING CONSTRUCTION OPERATIONS SHALL BE IMMEDIATELY REPORTED TO ENGINEER/OWNER. TILES ORIGINATING OUTSIDE THE PROJECT LIMITS SHALL BE RECONNECTED OR REROUTED TO MAINTAIN DRAINAGE. ENGINEER/OWNER SHALL DETERMINE THE MOST FAVORABLE METHOD OF RE-ESTABLISHMENT OF OFFSITE DRAINAGE. IF TILE IS ENCOUNTERED DURING TRENCH EXCAVATIONS, RE-ESTABLISHING TILE FUNCTIONALITY SHALL BE CONSIDERED AN INCIDENTAL EXPENSE.

EROSION AND SEDIMENT CONTROL NOTES:

- ALL CONSTRUCTION SHALL ADHERE TO THE REQUIREMENTS SET FORTH IN WISCONSIN'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER GENERAL PERMIT FOR CONSTRUCTION SITE LAND DISTURBANCE ACTIVITIES. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (DNR) TECHNICAL STANDARDS (REFERRED TO AS BMP'S) AND VILLAGE OF PLEASANT PRAIRIE ORDINANCE. THESE PROCEDURES AND STANDARDS SHALL BE REFERRED TO AS BEST MANAGEMENT PRACTICES (BMP'S). IT IS THE RESPONSIBILITY OF ALL CONTRACTORS ASSOCIATED WITH THE PROJECT TO OBTAIN A COPY OF, AND UNDERSTAND, THE BMP'S PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.
- THE EROSION CONTROL MEASURES INDICATED ON THE PLANS ARE THE MINIMUM REQUIREMENTS. ADDITIONAL CONTROL MEASURES AS DIRECTED BY JSD PROFESSIONAL SERVICES, INC. OR GOVERNING AGENCIES SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.
- MODIFICATIONS TO THE APPROVED SWPPP IN ORDER TO MEET UNFORESEEN FIELD CONDITIONS ARE ALLOWED IF MODIFICATIONS CONFORM TO BMP'S. ALL MODIFICATIONS MUST BE APPROVED BY JSD/MUNICIPALITY PRIOR TO DEVIATION OF THE APPROVED PLAN.
- INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCES, SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN IN ORDER TO PROTECT ADJACENT PROPERTIES/STORM SEWER SYSTEMS FROM SEDIMENT TRANSPORT.
- CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT ALL LOCATIONS OF VEHICLE INGRESS/EGRESS POINTS. CONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATION(S) WITH THE PROPER AUTHORITIES, PROVIDE NECESSARY FEES AND OBTAIN ALL REQUIRED APPROVALS OR PERMITS. ADDITIONAL CONSTRUCTION ENTRANCES OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE APPLICABLE GOVERNING AGENCIES PRIOR TO INSTALLATION.
- PAVED SURFACES ADJACENT TO CONSTRUCTION ENTRANCES SHALL BE SWEEP AND/OR SCRAPED TO REMOVE ACCUMULATED SOIL, DIRT AND/OR DUST AFTER THE END OF EACH WORK DAY AND AS REQUESTED BY THE GOVERNING AGENCIES.
- ALL EXISTING STORM SEWER FACILITIES THAT WILL COLLECT RUNOFF FROM DISTURBED AREAS SHALL BE PROTECTED TO PREVENT SEDIMENT DEPOSITION WITHIN STORM SEWER SYSTEMS. INLET PROTECTION SHALL BE IMMEDIATELY FITTED AT THE INLET OF ALL INSTALLED STORM SEWER. ALL INLETS, STRUCTURES, PIPES, AND SWALES SHALL BE KEPT CLEAN AND FREE OF SEDIMENTATION AND DEBRIS.
- EROSION CONTROL FOR UTILITY CONSTRUCTION (STORM SEWER, SANITARY SEWER, WATER MAIN, ETC.) OUTSIDE OF THE PERIMETER CONTROLS SHALL INCORPORATE THE FOLLOWING:
  - PLACE EXCAVATED TRENCH MATERIAL ON THE HIGH SIDE OF THE TRENCH.
  - BACKFILL, COMPACT, AND STABILIZE THE TRENCH IMMEDIATELY AFTER PIPE CONSTRUCTION.
  - DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH BMP'S PRIOR TO RELEASE INTO STORM SEWER OR DITCHES.
- AT A MINIMUM, SEDIMENT BASINS AND NECESSARY TEMPORARY DRAINAGE PROVISIONS SHALL BE CONSTRUCTED AND OPERATIONAL BEFORE BEGINNING OF SIGNIFICANT MASS GRADING OPERATIONS TO PREVENT OFFSITE DISCHARGE OF UNTREATED RUNOFF.
- ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES MUST BE MAINTAINED AND REPAIRED AS NEEDED. THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR INSPECTION AND REPAIR DURING CONSTRUCTION. THE OWNER WILL BE RESPONSIBLE IF EROSION CONTROL IS REQUIRED AFTER THE CONTRACTOR HAS COMPLETED THE PROJECT.
- TOPSOIL STOCKPILES SHALL HAVE A BERM OR TRENCH AROUND THE CIRCUMFERENCE AND PERIMETER SILT FENCE TO CONTROL SILT. IF TOPSOIL STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS, TEMPORARY SEEDING AND STABILIZATION IS REQUIRED.
- EROSION CONTROL MEASURES TEMPORARILY REMOVED FOR UNAVOIDABLE CONSTRUCTION ACTIVITIES SHALL BE IN WORKING ORDER PRIOR TO THE COMPLETION OF EACH WORK DAY.
- MAINTAIN SOIL EROSION CONTROL DEVICES THROUGH THE DURATION OF THIS PROJECT. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER FINAL SITE STABILIZATION IS ACHIEVED. AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, DISTURBANCES ASSOCIATED WITH EROSION CONTROL REMOVAL SHALL BE IMMEDIATELY STABILIZED.
- PUMPS MAY BE USED AS BYPASS DEVICES. IN NO CASE SHALL PUMPED WATER BE DIVERTED OUTSIDE THE PROJECT LIMITS.
- GRADING EFFORTS SHALL BE CONDUCTED IN SUCH A MANNER AS TO MINIMIZE EROSION. EROSION AND SEDIMENT CONTROL MEASURES SHALL CONSIDER THE TIME OF YEAR, SITE CONDITIONS, AND THE USE OF TEMPORARY OR PERMANENT MEASURES. ALL DISTURBED AREAS THAT WILL NOT BE WORKED FOR A PERIOD OF THIRTY (30) DAYS REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH TECHNICAL STANDARDS.
- ALL DISTURBED SLOPES EXCEEDING 4:1 YET LESS THAN 3:1, SHALL BE STABILIZED WITH NORTH AMERICAN GREEN S75BN EROSION MATTING (OR APPROVED EQUAL) AND DISTURBED SLOPES EXCEEDING 3:1 YET LESS THAN 2:1 SHALL BE STABILIZED WITH NORTH AMERICAN GREEN C125BN (OR APPROVED EQUAL) OR APPLICATION OF AN APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED. EROSION MATTING AND/OR NETTING USED ON SITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
- DURING PERIODS OF EXTENDED DRY WEATHER, THE CONTRACTOR SHALL KEEP A WATER TRUCK ON SITE FOR THE PURPOSE OF WATERING DOWN SOILS WHICH MAY OTHERWISE BECOME AIRBORNE. THE CONTRACTOR IS RESPONSIBLE FOR CONTROLLING WIND EROSION (DUST) DURING CONSTRUCTION AT HIS/HER EXPENSE.
- DISTURBED AREAS AND AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION SHALL BE VISUALLY INSPECTED FOR EVIDENCE OF, OR THE POTENTIAL FOR, POLLUTANTS ENTERING THE DRAINAGE SYSTEM ON A DAILY BASIS.
- QUALIFIED PERSONNEL (PROVIDED BY THE GENERAL/PRIME CONTRACTOR) SHALL INSPECT DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED AND EROSION AND SEDIMENT CONTROLS WITHIN 24 HOURS OF ALL 0.5-INCH, OR MORE, PRECIPITATION EVENTS WITH A MINIMUM INSPECTION INTERVAL OF ONCE EVERY SEVEN (7) CALENDAR DAYS IN THE ABSENCE OF A QUALIFYING RAIN OR SNOWFALL EVENT. REPORTING SHALL BE IN ACCORDANCE WITH PART IV D.4. (g)-(i) OF THE NPDES GENERAL PERMIT. CONTRACTOR SHALL IMMEDIATELY ARRANGE TO HAVE ANY DEFICIENT ITEMS REVEALED DURING INSPECTIONS REPAIRED/REPLACED.
- THE FOLLOWING MAINTENANCE PRACTICES SHALL BE USED TO MAINTAIN, IN GOOD AND EFFECTIVE OPERATING CONDITIONS, EROSION AND SEDIMENT CONTROL MEASURES, AND OTHER PROTECTIVE MEASURES IDENTIFIED IN THIS PLAN. UPON IDENTIFICATION, DEFICIENCIES IN STORMWATER CONTROLS SHALL BE ADDRESSED IMMEDIATELY. THE MAINTENANCE PROCEDURES FOR THIS DEVELOPMENT SHALL INCLUDE, BUT NOT BE LIMITED TO THE BELOW.
  - SILT FENCE - REPAIR OR REPLACE ANY DAMAGED FILTER FABRIC AND/OR STAKES. REMOVE ACCUMULATED SEDIMENT WHEN IT HAS REACHED ONE-HALF THE ABOVE GROUND HEIGHT OF THE FENCE.
  - CONSTRUCTION ENTRANCE - AS NEEDED, ADD STONE TO MAINTAIN CONSTRUCTION ENTRANCE DIMENSIONS AND EFFECTIVENESS.
  - DITCH CHECK (STRAW BALES) - RE-SECURE STAKES; ADJUST OR REPOSITION BALES TO ADDRESS PROPER FLOW OF STORMWATER; AND REMOVE ACCUMULATED SEDIMENT WHEN IT HAS REACHED ONE-HALF THE HEIGHT OF THE BALE.
  - EROSION CONTROL MATTING - REPAIR MATTING IMMEDIATELY IF INSPECTION REVEALS BREACHED OR FAILED CONDITIONS. REPAIR AND RE-GRADE SOIL WHERE CHANNELIZATION HAS OCCURRED.
  - DIVERSION BERM/SWALE - REPAIR OR RE-COMPACT THE CONSTRUCTION MATERIALS AS NECESSARY.
  - INLET PROTECTION - CLEAN, REPAIR OR REPLACE FILTER FABRIC AND/OR STONE WHEN CONTROL MEASURE IS CLOGGED. INLET FILTER BAGS SHALL BE REPLACED ONCE BAG BECOMES ONE-HALF FULL OF SEDIMENT.

- ADDITIONAL POLLUTANT CONTROL MEASURES TO BE IMPLEMENTED DURING CONSTRUCTION ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING.
  - CONSTRUCTION WASTE SHALL BE PROPERLY DISPOSED OF. THIS INCLUDES ALL CONSTRUCTION SITE WASTE, SANITARY WASTE, AND WASTE FROM VEHICLE TRACKING OF SEDIMENTS. THE CONTRACTOR SHALL ENSURE THAT NO MATERIAL WASTES OR UNUSED BUILDING MATERIALS SHALL BE BURIED, DUMPED, BURNED, OR DISCHARGED TO THE WATERS OF THE STATE. VEHICLES HAULING MATERIAL AWAY FROM THE SITE SHALL BE COVERED WITH A TARPULIN TO PREVENT BLOWING DEBRIS.
  - DUST CONTROL SHALL BE ACCOMPLISHED BY ONE OR MORE OF THE FOLLOWING METHODS:
    - COVERING 30% OR MORE OF THE SOIL SURFACE WITH A NON-ERODIBLE MATERIAL.
    - ROUGHENING THE SOIL TO PRODUCE RIDGES PERPENDICULAR TO THE PREVAILING WIND. RIDGES SHALL BE AT LEAST SIX (6) INCHES IN HEIGHT.
    - FREQUENT WATERING OF EXCAVATION AND FILL AREAS.
    - PROVIDING GRAVEL OR PAVING AT ENTRANCE/EXIT DRIVES, PARKING AREAS AND TRANSIT PATHS.
  - STREET SWEEPING SHALL BE PERFORMED TO IMMEDIATELY REMOVE ANY SEDIMENT TRACKED ON PAVEMENTS.

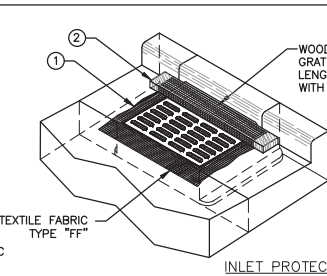


INLET PROTECTION - TYPE "B" (WITHOUT CURB BOX)

TYPE "B" INSTALLATION NOTES

TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3 INCHES OF THE GRATE.

THE CONTRACTOR SHALL DEMONSTRATE A METHOD OF MAINTENANCE, USING A SEW FLAP, HAND HOLDS OR OTHER METHODS TO PREVENT ACCUMULATED SEDIMENT FROM ENTERING THE INLET.



INLET PROTECTION, TYPE "C" (WITH CURB BOX)

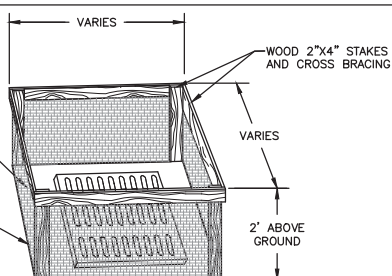
GENERAL NOTES

- TYPE "FF" GEOTEXTILE FABRIC INLET PROTECTION SHALL BE SELECTED FROM THE WISCONSIN DEPARTMENT OF TRANSPORTATION'S PRODUCT ACCEPTABILITY (PAL) LIST. FABRIC INLET PROTECTION AND MANUFACTURED ALTERNATIVES SHALL BE IN COMPLIANCE WITH WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECHNICAL STANDARD 1060.
- WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT THE SEDIMENT TRAPPED ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

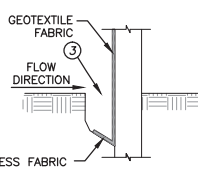
- FINISHED SIZE, INCLUDING FLAP POCKET WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 10 INCHES AROUND THE PERIMETER TO FACILITATE MAINTENANCE OR REMOVAL.
- FOR INLET PROTECTION, TYPE "C" (WITH CURB BOX), AN ADDITIONAL 18 INCHES OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES. THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX OPENING.
- FOLD MATERIAL TO FIT TRENCH AND BACKFILL AND COMPACT TRENCH WITH EXCAVATED SOIL.

INLET PROTECTION

N.T.S.

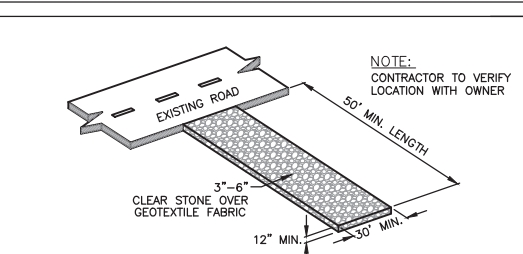


INLET PROTECTION - TYPE "A"



TRENCH DETAIL

NOTE: ADDITIONAL POST DEPTH OR TIE BACKS MAY BE REQUIRED IN UNSTABLE SOILS

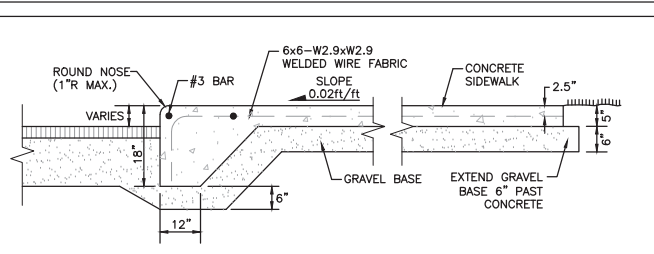


GENERAL NOTES

- TRACKING PADS SHALL BE INSTALLED PRIOR TO ANY TRAFFIC LEAVING THE SITE.
- THE AGGREGATE FOR TRACKING PADS SHALL BE 3 TO 6-INCH CLEAR OR WASHED STONE. ALL MATERIAL TO BE RETAINED ON A 3-INCH SIEVE.
- THE AGGREGATE SHALL BE PLACED IN A LAYER AT LEAST 12-INCHES THICK. ON SITES WHERE SATURATED CONDITIONS ARE EXPECTED DURING THE LIFE OF THE PAD, THE PAD SHALL BE UNDERLAIN WITH WSDOT TYPE "R" GEOTEXTILE FABRIC TO PREVENT MIGRATION OF UNDERLYING SOILS INTO THE STONE LAYER.
- THE TRACKING PAD SHALL BE THE FULL WIDTH OF THE EGRESS POINT. THE TRACKING PAD SHALL BE A MINIMUM 50- FEET LONG.
- ANY SEDIMENT TRACKED ONTO A PUBLIC OR PRIVATE ROAD SHOULD BE REMOVED BY STREET CLEANING, NOT FLUSHING, AT THE END OF EACH WORKING DAY.
- TRACKING PADS SHALL, AT A MINIMUM, BE INSPECTED WEEKLY AND WITHIN 24-HOURS AFTER EVERY PRECIPITATION EVENT THAT PRODUCES 0.5-INCHES OF RAIN OR MORE DURING A 24-HOUR PERIOD.
- THE TRACKING PAD PERFORMANCE SHALL BE MAINTAINED BY SCRAPING OR TOP-DRESSING WITH ADDITIONAL AGGREGATE.

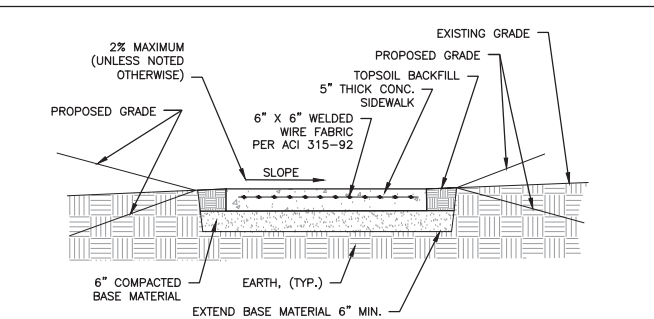
CONSTRUCTION ENTRANCE

N.T.S.



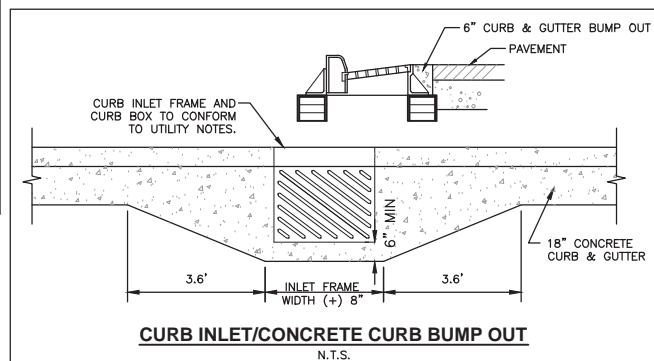
INTEGRAL CONCRETE CURB & WALK

N.T.S.



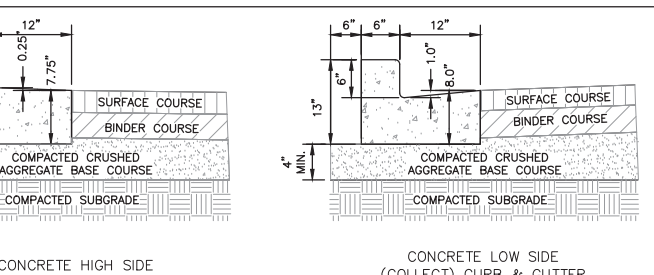
CONCRETE SIDEWALK

N.T.S.



CURB INLET/CONCRETE CURB BUMP OUT

N.T.S.



18" STANDARD CURB & GUTTER

N.T.S.

GENERAL NOTES

- LATERAL CONTRACTION JOINTS SHALL BE PLACED AT INTERVALS OF NOT MORE THAN 15 FEET NOR LESS THAN 6 FEET. THE JOINTS SHALL BE A MINIMUM OF 3 INCHES IN DEPTH.
- EXPANSION JOINTS SHALL BE PLACED TRANSVERSELY AT RADIUS POINTS ON CURVES OF RADIUS 200 FEET OR LESS, AND AT ANGLE POINTS, OR AS DIRECTED BY THE ENGINEER OF RECORD. THE EXPANSION JOINT FILLER SHALL BE A ONE PIECE FIBER BOARD OR THE APPROVED EQUIVALENT MATERIAL HAVING THE SAME DIMENSIONS AS CURB & GUTTER AT THAT STATION AND BE 0.5 INCH THICK.
- IN ALL CASES, CONCRETE CURB & GUTTER SHALL BE PLACED ON THOROUGHLY COMPACTED CRUSHED STONE

**KWIK TRIP**  
STORES  
**KWIK STAR**  
STORES

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Engineers • Surveyors • Planners  
MILWAUKEE REGIONAL OFFICE  
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262.513.0666 PHONE | 262.513.1232 FAX  
MADISON | MILWAUKEE | KENOSHA | APPLETON

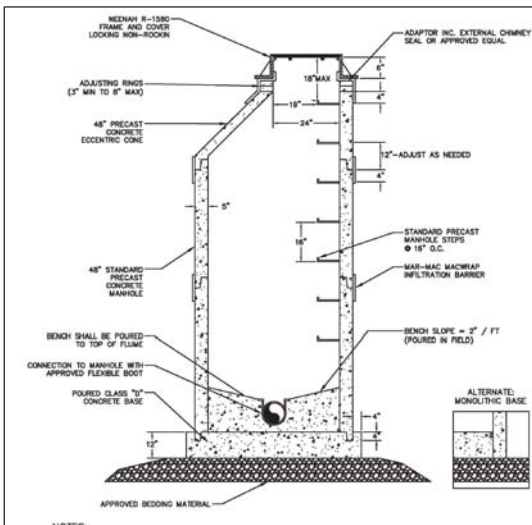
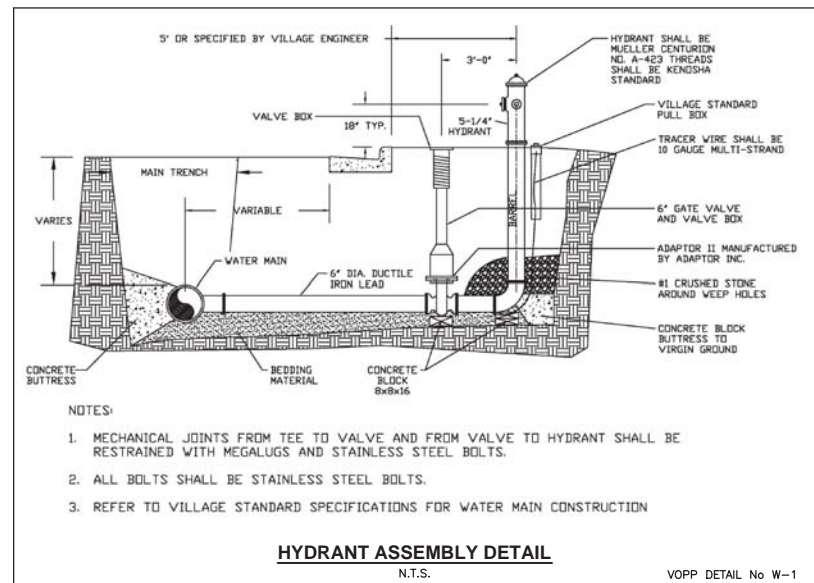
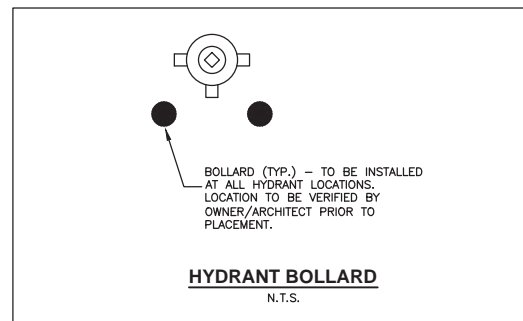
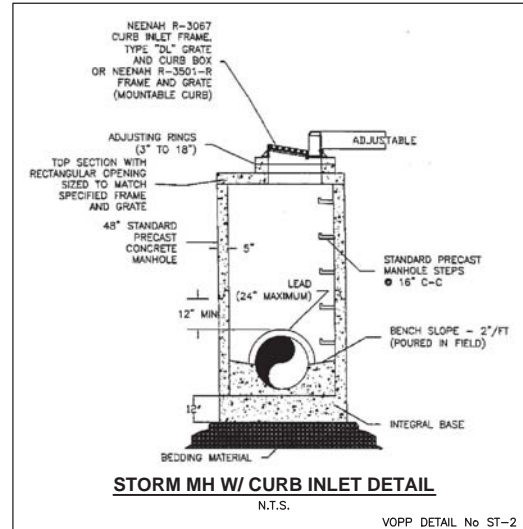
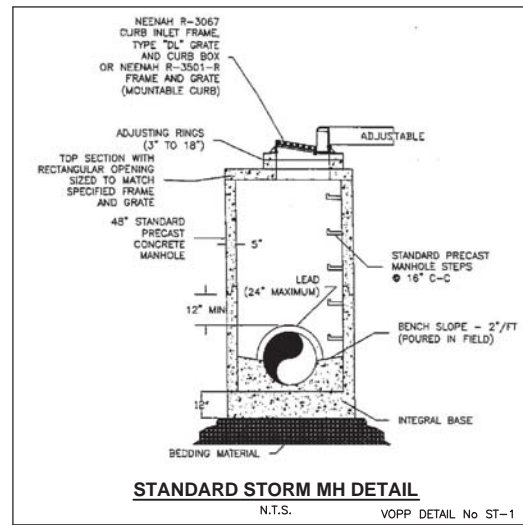
NOTES & DETAILS

CONVENIENCE STORE #230  
WITH DOUBLE BAY CARWASH

STH 165 AND 72ND AVE.  
VILLAGE OF PLEASANT PRAIRIE, WI

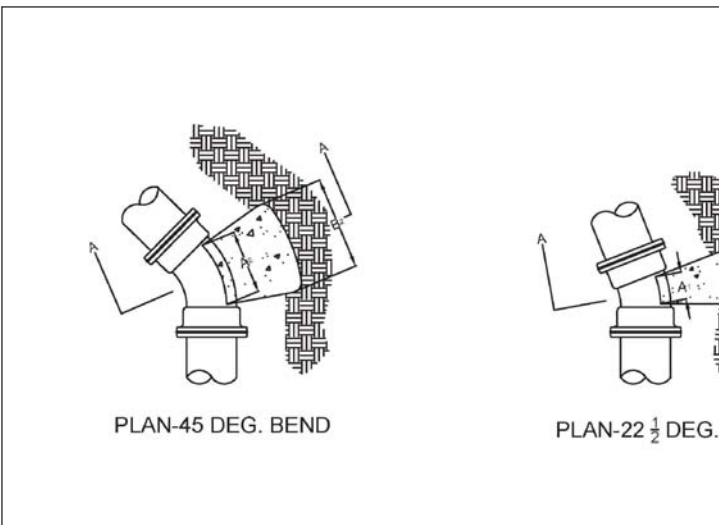
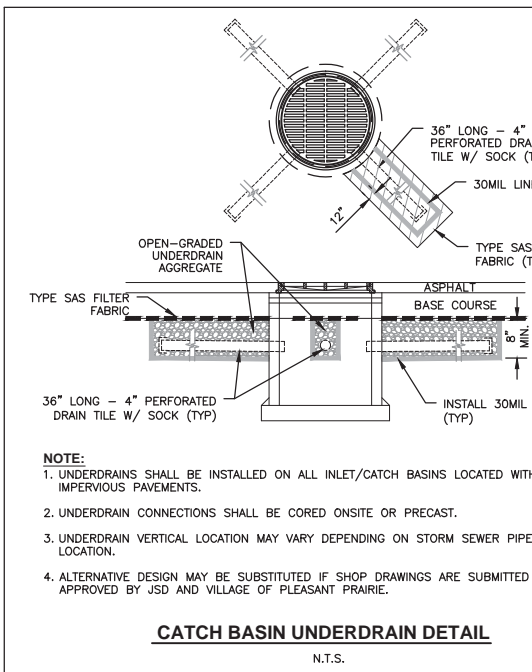
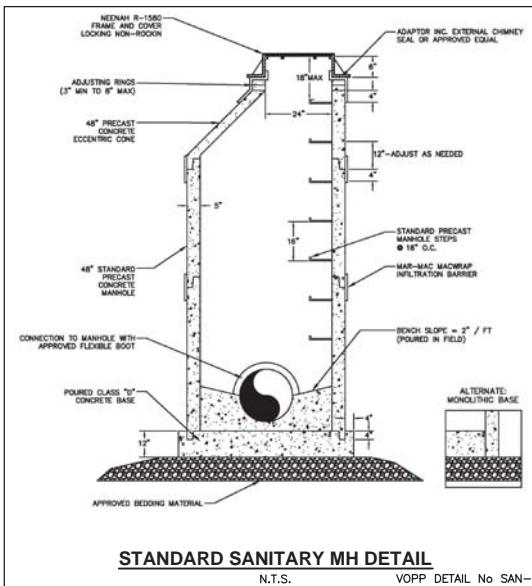
#	DATE	DESCRIPTION
1	5/20/14	VILLAGE SUBMITTAL

DRAWN BY	JJS/RWI
SCALE	1" = 20'
JSD PROJ. NO.	09-37958
DATE	2014-04-04
SHEET	5 OF 24 SP4



**NOTES:**

- STANDARD SAMPLING MANHOLE SHALL HAVE A PALMER-BOWLUS FLUME WITH INTEGRAL APPROACH INSTALLED.
- VILLAGE OF PLEASANT PRAIRIE DPW SHALL BE CONTACTED FOR FINAL INSPECTION OF SAMPLING MANHOLES.
- SEE DETAIL SAN-2A AND SAN-2B FOR PALMER-BOWLUS FLUME DETAILS.
- REFER TO VILLAGE STANDARD SPECIFICATIONS FOR SANITARY MANHOLES.

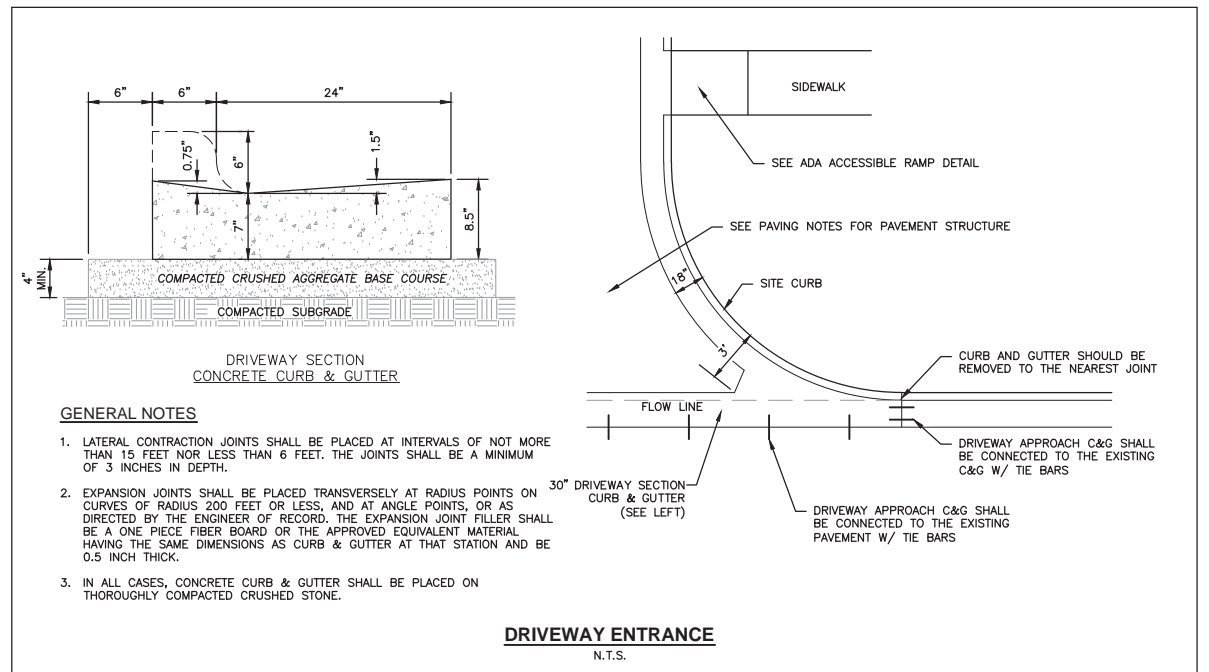
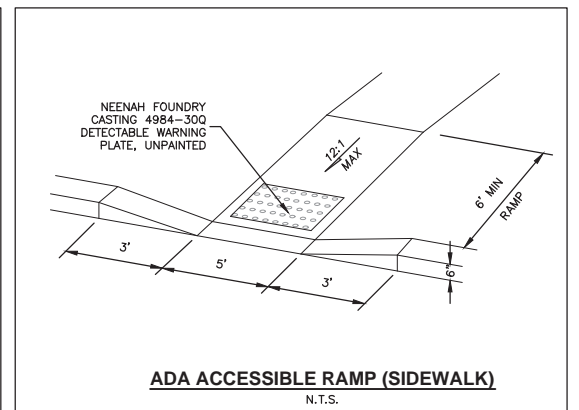
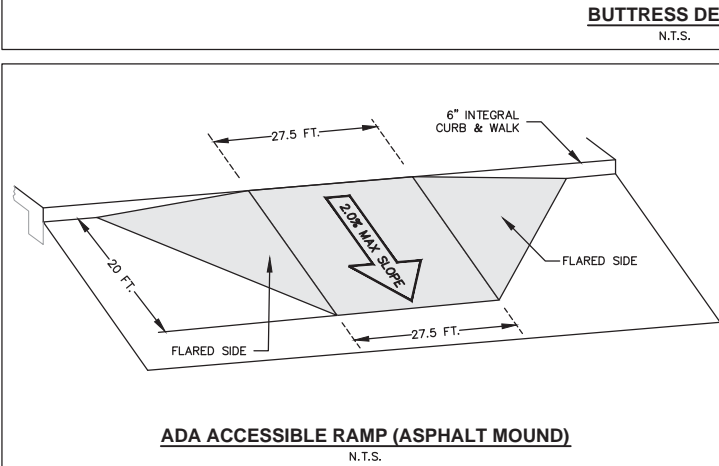


**BUTTRESS DIMENSIONS**

PIPE SIZE	22 1/2 DEG. BEND		45 DEG. BEND		90 DEG. BEND	
	B <sub>1</sub>	D <sub>1</sub>	B <sub>1</sub>	D <sub>1</sub>	B <sub>1</sub>	D <sub>1</sub>
6"	1'-3"	1'-0"	1'-0"	1'-0"	1'-4"	1'-2"
8"	1'-6"	1'-4"	1'-4"	1'-2"	1'-10"	1'-6"
12"	2'-3"	2'-0"	1'-10"	1'-10"	2'-8"	2'-3"
16"	3'-2"	2'-6"	2'-6"	2'-4"	3'-10"	2'-10"
20"	4'-0"	3'-0"	3'-3"	2'-10"	5'-0"	3'-4"
24"	5'-3"	3'-4"	4'-0"	3'-3"	6'-4"	3'-10"
30"	6'-3"	4'-3"	5'-4"	3'-10"	8'-0"	4'-8"

**NOTES:**

- DIMENSIONS IN THE TABLE ARE BASED ON A WATER PRESSURE OF 150 PSI AND ON EARTH RESISTANCE OF 2 TONS PER SQ. FT.
- DIMENSION (A) SHOULD BE AS LARGE AS POSSIBLE WITHOUT INTERFERING WITH MECHANICAL JOINT BOLTS.
- SHAPE OF BACK OF BUTTRESS MAY VARY AS LONG AS POUR IS AGAINST FIRM UNDISTURBED EARTH.
- ALL DUCTILE IRON PIPE AND FITTINGS SHALL BE WRAPPED IN POLYETHYLENE.
- REFER TO VILLAGE STANDARD SPECIFICATIONS FOR WATER MAIN.



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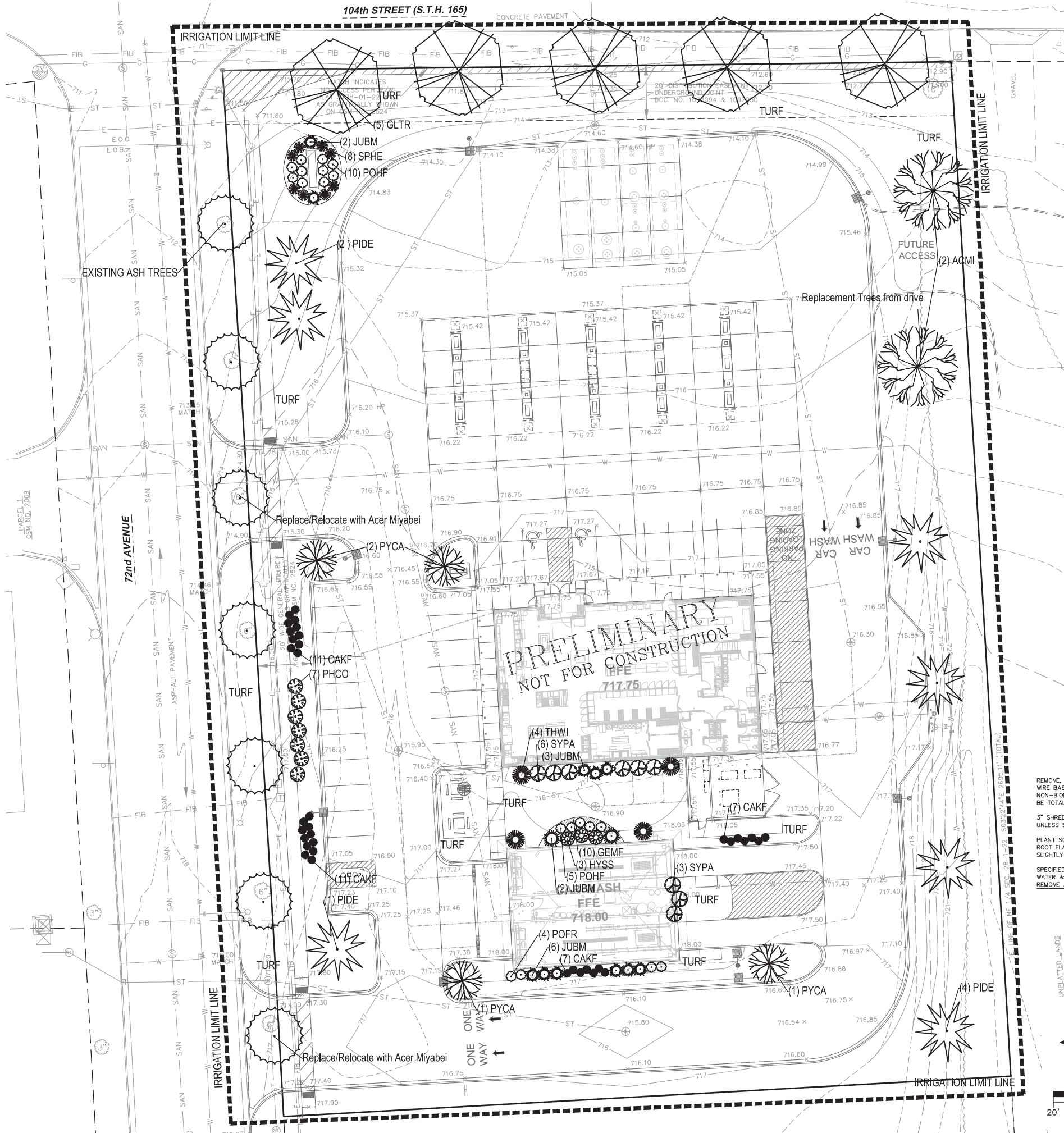
**NOTES & DETAILS**

**CONVENIENCE STORE #230 WITH DOUBLE BAY CARWASH**

STH 165 AND 72ND AVE.  
VILLAGE OF PLEASANT PRAIRIE, WI

#	DATE	DESCRIPTION
1	5/20/14	VILLAGE SUBMITTAL

DRAWN BY: JJS/RWI  
SCALE: 1" = 20'  
JSD PROJ. NO.: 09-3795B  
DATE: 2014-04-04  
SHEET: 6 OF 24 SP5



**PLANT SCHEDULE**

TREES				
CODE	SCIENTIFIC NAME	COMMON NAME	QTY.	PLANTING SIZE
ACMI	Acer Miyabei	State Street Miyabei maple	2	2' Cal. B&B
GLTR	Gleditsia triacanthos	Honeylocust	5	2' Cal. B&B
MARR	Malus 'Royal Raindrops'	Royal Raindrops Crabapple	1	2' Cal. B&B
PIDE	Picea glauca densata	Black Hills Spruce	7	6' B & B
PYCA	Pyrus calleryana 'Chanticleer'	Chanticleer Pear Tree	5	2' Cal. B&B
THWI	Thuja occidentalis 'Wintergreen'	Wintergreen Arborvitae	4	6' B & B

SHRUBS				
CODE	SCIENTIFIC NAME	COMMON NAME	QTY.	PLANTING SIZE
HYSS	Hydrangea 'Strawberry Sundae'	Strawberry Sundae Hydrangea	3	5gal
JUBM	Juniperus 'Blue Mountain'	Blue Mountain Juniper	13	5 gal
PHCO	Physocarpus 'Coppertina'	Coppertina Ninebark	7	24"
POHF	Potentilla fruticosa 'Lundy'	Potentilla Happy Face	19	3 gal
SYME	Syringa meyeri 'Palbin'	Dwarf Korean Lilac	9	3 gal

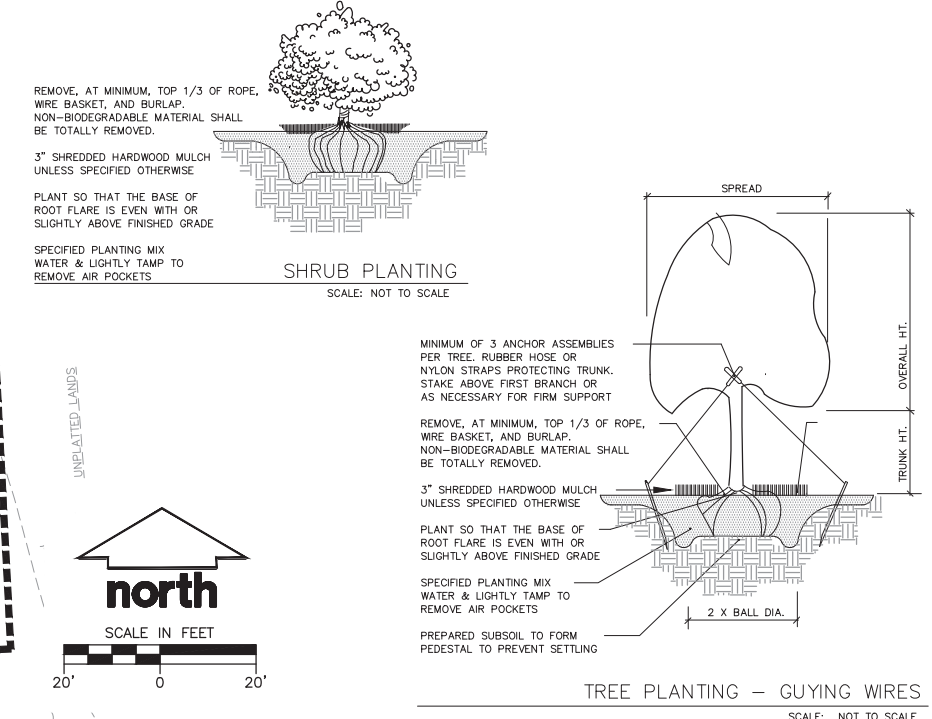
PERENNIALS				
CODE	SCIENTIFIC NAME	COMMON NAME	QTY.	PLANTING SIZE
CAKF	Calamagrostis acut., 'Karl Forester'	Feather Reed Grass	36	1 gal
GEMF	Geranium sang. 'Max Frei'	Max Frei Geranium	10	1 gal
SPHE	Sporobolus heterolepis	Prairie Droopseed Grass	6	1 gal

**GENERAL LANDSCAPE NOTES:**

- Notify DIGGERS HOTLINE, general contractor, and owner prior to the commencement of any digging/clearing operations for locations of private and public utilities.
- All finish grades to be flush with top of curbs, retaining walls and pavement.
- All plant material shall conform to American Standard for Nursery Stock as prepared by the American Association of Nurserymen, Inc.
- Any plant or material substitutions to be approved by owner prior to installation.
- All plants to be located according to the plan and planted in holes at least twice the size of the plant root ball. If plant symbol count varies from plant table, the symbol count will be used.
- All plantings to be topdressed with three inches of shredded hardwood mulch.
- Amend planting beds with a minimum of 2" of fully decomposed compost and till to a minimum depth of 6" prior to planting.
- Topsoil backfill shall be topsoil that is fertile, friable, natural loam surface soil reasonably free from subsoil, clay lumps, brush, weeds, litter, and free of roots, stumps, stones larger than 1", and other extraneous or toxic material harmful to plant growth.
- All areas disturbed during construction and indicated as "TURF" shall be fine graded, fertilized, seeded, and hydromulched unless otherwise indicated otherwise on the plan.
- All plants to receive 3 year slow release fertilizer packets (or equal) at a rate of 2 per caliper inch of tree and 3 per shrub.
- Guarantee all plant material including perennials, seed, and sod for a period of not less than one full growing season beginning the spring following project completion.
- Water all plantings, including sod, immediately after installation and continue to water as needed until project is completed and accepted by owner.
- All planting bed shall have 2 inch shovel cut edges unless noted otherwise on the plan.
- Plants symbols shown on this plan are indicated at approximate mature size.
- Spray kill, fine grade, seed, fertilize and hydromulch ROW easement areas to match property seeding.
- NOTE: Ash trees along 72nd ave. that are to be removed for drives will not be relocated. Replant 2 trees along the east lot line as replacements.

**GENERAL IRRIGATION NOTES:**

- Design and build lawn irrigation system, using accepted Wisconsin weather industry standards.
- Notify DIGGERS HOTLINE, general contractor, and owner prior to the commencement of any digging operations for locations of private and public utilities.
- All sprinkler main lines, zone lines, and wiring will be installed in PVC sleeves where they will be under a hard surface. All sleeves will be installed as part of the design build and backfilled to the subgrade surface with granular material approved by general contractor.
- All sprinkler wiring will allow for a minimum of 3 spare wires at any point along the main line, be installed in PVC or poly conduit, and all connections will be water tight and within valve boxes. Wire color coding and/or markings will remain consistent throughout the system.
- Sprinkler valves will be Rainbird PGA or approved equal and will be installed within valve boxes.
- Sprinkler rotary heads will be Hunter I 20 or approved equal. All rotary and spray sprinkler heads will be installed with a double clamped insert "T" and swing pipe or approved swing joint.
- Sprinkler heads will be located in a pattern which will provide "head to head" coverage without putting water onto hard surfaces or excessively watering planting beds. Overspray onto planting beds shall not exceed 30% of the turf precipitation rate.
- Sprinkler designer will consult with owner's representative with regard to zone wiring sequence.
- Guarantee all sprinkler material including installation for a period of one year, beginning the spring following project completion.
- Plumbing scope to include providing and installing a "T", deduct meter, valve(s), pipe, master valve, vacuum breaker or RPZ, related fittings, and permits as needed, to service the lawn irrigation system. Irrigation service pipe shall end with a horizontal male adapter outside the wall 18"-24" below grade. Irrigation contractor shall provide the plumber, at no cost, the master valve, vacuum breaker or RPZ, and instruction as needed for the installation.
- Electrical scope to include providing and installing a dedicated 120 volt circuit to power the lawn irrigation controller which will be mounted on the outside wall in close proximity to the water service or pump room. Circuit shall have an outdoor rated on/off switch immediately before the controller.



**STORES**

**STORES**

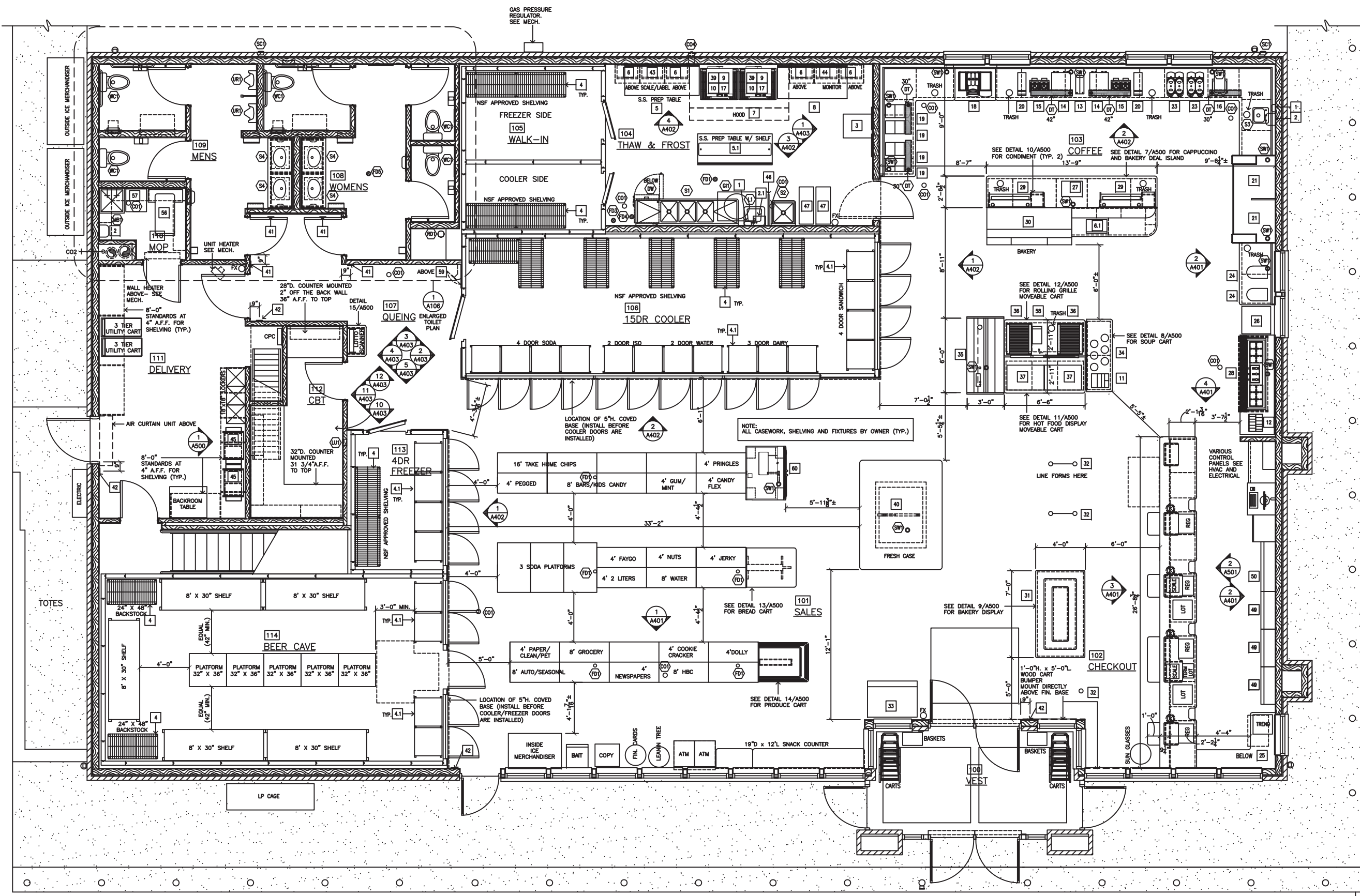
**KWIK TRIP, Inc.**  
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landscape management  
**KENOSHA GROUNDS CARE**  
Design Construction Maintenance  
839 8th Avenue • Pleasant Prairie, WI 53158 • Fax 262.694.9500  
E-Mail info@kgc.com

**LANDSCAPE PLAN**  
**CONVENIENCE STORE #230**  
**WITH DOUBLE BAY CARWASH**  
**STH 165 AND 72ND AVE.**  
**VILLAGE OF PLEASANT PRAIRIE, WI**

#	DATE	DESCRIPTION
1	5/20/14	VILLAGE SUBMITTAL

DRAWN BY: LMW  
SCALE: 1" = 20'  
KGC PROJ. NO.: 14040701  
DATE: 2014-04-04  
SHEET: 7 OF 24 SP6



EQUIP. SCHED.	
EQUIPMENT NAME	QTY
SOAP DISPENSER	1
PAPER TOWEL DISPENSER	2
PAPER TOWEL DISPENSER - KITCHEN	2.1
BAKERY RACK WITH COVER	3
SHelves - COOLERS/FREEZERS	4
SHelves - KITCHEN	4.1
SHelves - KITCHEN	4.2
6'-0" STAINLESS TABLE	5
6'-0" STAINLESS TABLE W/ CENTER SHELF ABOVE	5.1
MICROWAVE - KITCHEN	6
MICROWAVE - SNACK	6.1
CAPTIVE AIR HOOD	7
REFRIGERATED PREP TABLE	8
CART (STAINLESS STEEL)	9
TURBOCHEF OVEN	10
CRACKER & SILVERWARE BASKET	11
FOOD'S CONDIMENT HOLDER	12
COFFEE GRINDER	13
COFFEE BREWER	14
2 SOFT HEAT STAND (POT WARMER)	15
ICE TEA MAKER	16
TURBOCHEF IS OVEN	17
FRANKE FOAMMASTER F800 ESPRESSO MACHINE	18
MIX-3 MACHINE	19
SURESHOT FLAVORSHOT 2	20
FOUNTAIN WALL	21
BAKERY TABLE	22
SMOOTHER MACHINE	23
MALT BLENDER W/ SCREEN	24
UTILITY CART	25
UPRIGHT FREEZER	26
CREAMER	27
MALTIERRA CONDIMENT COUNTER	28
COFFEE CONDIMENT DISPLAY	29
BAKERY CASE	30
BAKERY DISPLAY	31
LINE STANCHIONS	32
DOUBLE STACKED ICE CREAM NOVELTY CASE	33
SOUP WELL	34
PIZZA CASE	35
HOT DOGGER / BUN WARMER	36
HOT FOOD DISPLAY	37
PIZZA COOLER	38
TURBOCHEF IS OVEN RACK	39
FRESH CASE	40
ADA 6" MIN. MEN/WOMEN STORAGE WITH BRAILLE SEE SHEET A403 FOR TYP. LOCATION	41
ADA 3" MIN. EXIT STORAGE WITH BRAILLE SEE SHEETS A401 & A403 FOR TYP. LOCATIONS	42
SCALE/LABEL MACHINE	43
MONITOR	44
840-B-A-BOX RACK	45
SCREEN	46
BIN RACK	47
2'-0" METAL LIGHTED MERCHANDISER	48
3'-0" METAL LIGHTED CIGARETTE MERCHANDISER	49
4'-0" METAL LIGHTED CIGARETTE MERCHANDISER	50
4'-0" OVERHEAD PACK MERCHANDISER	51
HOT HOLDING CABINET	52
UNDERCOUNTER FREEZER	53
PERFECT FRY	54
HEAT 'N SERVE REHEAT/REMAKING	55
CLEANING CART	56
FLOOR SCRUBBER	57
HOT CHEESE DISPENSER	58
SECURITY MIRROR	59
REFRIGERATED MEAT CASE	60
UNDERCOUNTER DISHWASHER	DW
WATER HEATER	WH1
THERMA-STOR 8-6	WH2

EQUIPMENT FLOOR PLAN  
1/4" = 1'-0"

**EQUIPMENT/ ANNULAR SPACE NOTES**

- CAULK ALL EXPOSED SEAMS IN FOOD AREAS.
- CAULK SINK COUNTERTOPS AT WALL.
- CAULK/ROPE INSIDE COOLER/FREEZER GLASS DOORS.
- SEAL (CAULK) ALL OPENINGS AROUND PIPES AND OTHER CONDUITS, WHERE THEY PASS THROUGH WALLS AND FLOORS. SEAL ALL JUNCTURES BETWEEN THE WALL SURFACE AND THE EDGES OF ATTACHED EQUIPMENT WITH APPROVED CAULK/SEALING COMPOUND.
- EXTEND CONDUIT PIPES FOR BEVERAGE LINES AT LEAST FOUR INCHES ABOVE THE FINISHED FLOOR ELEVATION AT BOTH ENDS. THE SPACE BETWEEN THE BEVERAGE LINES AND THE CONDUIT PIPE MUST BE SEALED WITH A HARD MATERIAL AND PROVIDE A CLEANABLE FINISH.

**LARSON ARCHITECT**  
200 Mason Street #3  
Onalaska, WI 54650  
(608) 784 - 6808  
info@larsonarchitect.com



STORE #230  
VILLAGE OF PLEASANT PRAIRIE,  
WI  
96' x 58' RH  
STANDARD

Revised: CITY SUBMITTAL  
Issued for: 2014 04-09  
Date: 2014 04-09  
Checked: BGF  
Drawn:

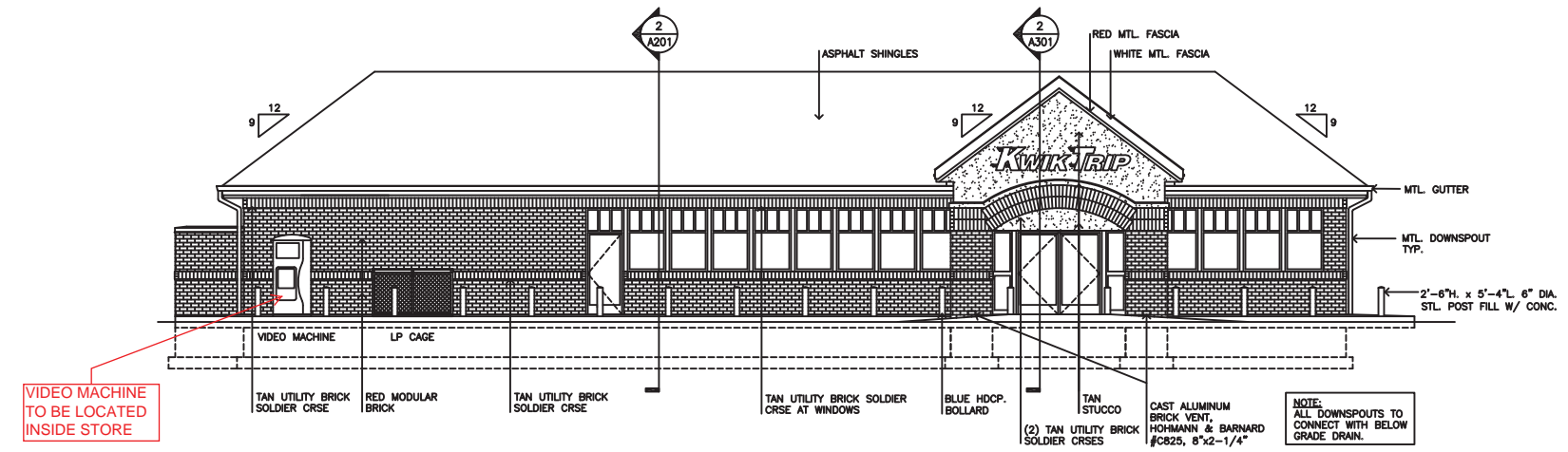


**A102**



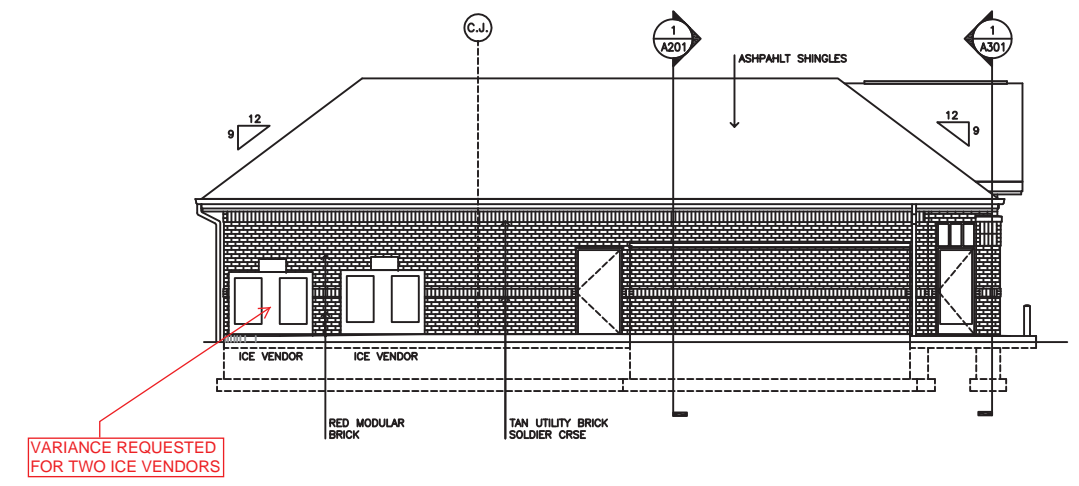
EXT. COLOR SCHED.		
MATERIAL	MANUF.	COLOR
BOLLARDS		BLACK, GLOSS
FASCIA	UNI-CLAD 24 GA.	REGAL RED STONE WHITE
METAL ROOF	UNI-CLAD	HEMLOCK GREEN
MORTAR		GREY
RED BRICK	SILOUX CITY	CABERNET BURGUNDY
ROOF CAP CAR WASH	UNI-CLAD	SIERRA TAN
STUCCO	TOTAL WALL	MORNING MIST SWIRL TEXTURE
TAN BRICK	SILOUX CITY	CLEAR BUFF
TRASH ENCLOSURE	UNI-CLAD	BURGUNDY

**LARSON**  
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 200 Mason Street #3  
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 info@larsonarchitect.com



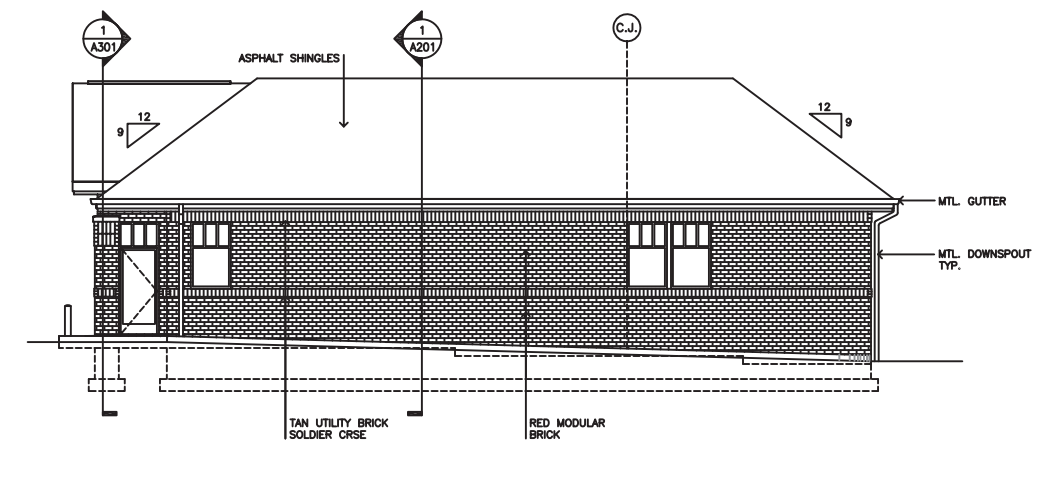
VIDEO MACHINE TO BE LOCATED INSIDE STORE

**FRONT ELEVATION**  
1/8" = 1'-0"

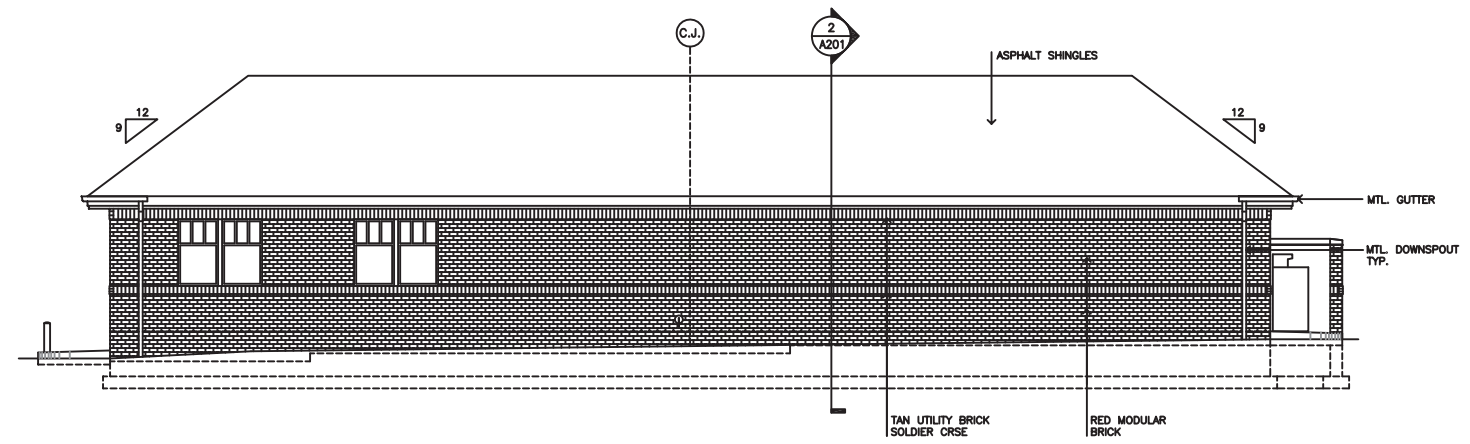


VARIANCE REQUESTED FOR TWO ICE VENDORS

**LEFT SIDE ELEVATION**  
1/8" = 1'-0"



**RIGHT SIDE ELEVATION**  
1/8" = 1'-0"



**BACK ELEVATION**  
1/8" = 1'-0"



STORE #230  
 VILLAGE OF PLEASANT PRAIRIE, WI  
 96' x 58' RH STANDARD

Revised :  
 Issued for : SUBMITTAL  
 Date : 2014 04-09  
 Checked : BGF  
 Drawn :



ASPHALT SHINGLE ROOFING TAN MTL. FASCIA RED MTL. FASCIA

**Kwik Trip**

TAN BRICK SOLDIER CRSE AT WINDOWS TAN STUCCO TAN BRICK SOLDIER CRSE RED BRICK  
**FRONT ELEVATION**  
 1/4" = 1'-0"

VIDEO MACHINE TO BE LOCATED INSIDE STORE



TAN BRICK SOLDIER CRSE RED BRICK TAN BRICK ROWLOCK CRSE

**RIGHT SIDE ELEVATION**  
 3/16" = 1'-0"



VARIANCE REQUESTED FOR TWO ICE VENDORS

**LEFT SIDE ELEVATION**  
 3/16" = 1'-0"

RED BRICK TAN BRICK SOLDIER CRSE TAN BRICK ROWLOCK CRSE



TAN BRICK SOLDIER CRSE RED BRICK TAN BRICK ROWLOCK CRSE TAN STUCCO TOTE ENCLOSURE

**BACK ELEVATION**  
 3/16" = 1'-0"



96'x58' R



EQUIP. SCHED.	
EQUIPMENT NAME	MARK
AIR COMPRESSOR	A
WATER SOFTNER	B
BOILER UNIT	BU
REVERSE OSMOSIS UNIT	C
CHEMICAL PUMPING ENCLOSURES	CP
CPO CONTROLLER	CPO
CHOICEWASH XT WITHOUT ON-BOARD DRYER	CW
RO WATER PUMP	D
DRYER CONTROL - MARK VII	DC
DRYER CONTROL BOX - FS40	DR
DRYER TIMER, SHROUD & 4" TALL STAND	DT
SPOTFREE STORAGE TANK	E
BRINE TANK	F
FS-40 FREESTANDING DRYER WITH SIDE DOWNCHUTES	FD
RO REJECT PUMP - SUBMERSIBLE	G
CARBON FILTER	H
IN-BAY JUNCTION BOX	JB
AIR DOOR CONTROL BOX	K
CPC PANEL	L
MENU BOARD - 7 POSITION	MB
MAIN DISCONNECT	MD
AIR DOOR STATION BOX	P
CHOICEWASH XT PUMPING PLANT STATION 20 HP - C100 WASHBAY	PP1
CHOICEWASH XT PUMPING PLANT STATION 20 HP - C102 WASHBAY	PP2
STOP - 00 - BACKUP SIGN	SOB
COIN BOX, POINT OF SALE	T
TRI-FORM PUMPING PLANT	TFP
UNDERCARRIAGE WASH MANFOLD W/ FLAT COVER	UC

CHEM. SCHED.	
CHEMICAL FEED DESCRIPTION	MARK
FRICITIONLESS PRESOAK	1
EXPRESS	2
SALT BUSTER	3
FRICITION DETERGENT	4
SEALER WAX	5
TRI-FORM SYSTEM	6

HARDWARE SCHEDULE					
GROUP	QTY.	TYPE	MANUFACTURER	MODEL NO.	REMARKS
11	1 PR	HINGES	CHEM PRUF	CONTINUOUS S.S. HINGES	AT EXTERIOR C100B AT EXTERIOR C100B
	1	THRESHOLD		S204A	
	1	SWEEP		323A	
	1	WEATHERSTRIP	GYLNN JOHNSON	816H US32D	
	1	HOLD OPEN LOCKSET	SCHLAGE	AL53 PD SAT 626	

NOTES:  
1. ALL FINISHES DULL CHROME.  
2. VERIFY ALL HARDWARE W/ OWNER.  
3. KIT TO SUPPLY.

DOOR & FRAME SCHEDULE											
DOOR NO.	SIZE		DOOR		DR. HAND	HARDWARE	FRAME	ROUGH OPEN.		STOCK NO.	REMARKS
	W.	H.	MAT.	TYPE				W	X H		
C100	10-0	10-0	ALUM.	O.H.	-	-	-	-	-	-	INSULATED POLYCARBONATE RE 3/A703
C100A	10-0	10-0	ALUM.	O.H.	-	-	-	-	-	-	INSULATED POLYCARBONATE RE 3/A703
C100B	4-0	7-2	FG.	L 11	FG.	52 1/2" x 88 1/4"	-	-	-	-	FIBERGLASS INSULATED DOOR & INSULATED FRAME, WHITE
C101	4-0	7-2	FG.	L 11	FG.	52 1/2" x 88 1/4"	-	-	-	-	FIBERGLASS INSULATED DOOR & INSULATED FRAME, WHITE
C102	10-0	10-0	ALUM.	O.H.	-	-	-	-	-	-	INSULATED POLYCARBONATE RE 3/A703
C102A	10-0	10-0	ALUM.	O.H.	-	-	-	-	-	-	INSULATED POLYCARBONATE RE 3/A703

\*\* KIT TO SUPPLY

ROOM FINISH SCHEDULE							
NO.	ROOM NAME	FLOOR	BASE	WALLS	CEILING	CLG. HGT.	REMARKS
C100	CARWASH BAY 1	SEALED CONC.	NONE	EPOXY PAINT	CONC./PAINT	15'-4"	BROOM FINISH SLAB
C101	EQUIPMENT	SEALED CONC.	NONE	EPOXY PAINT	CONC./PAINT	15'-4"	BROOM FINISH SLAB
C102	CARWASH BAY 2	SEALED CONC.	NONE	EPOXY PAINT	CONC./PAINT	15'-4"	BROOM FINISH SLAB

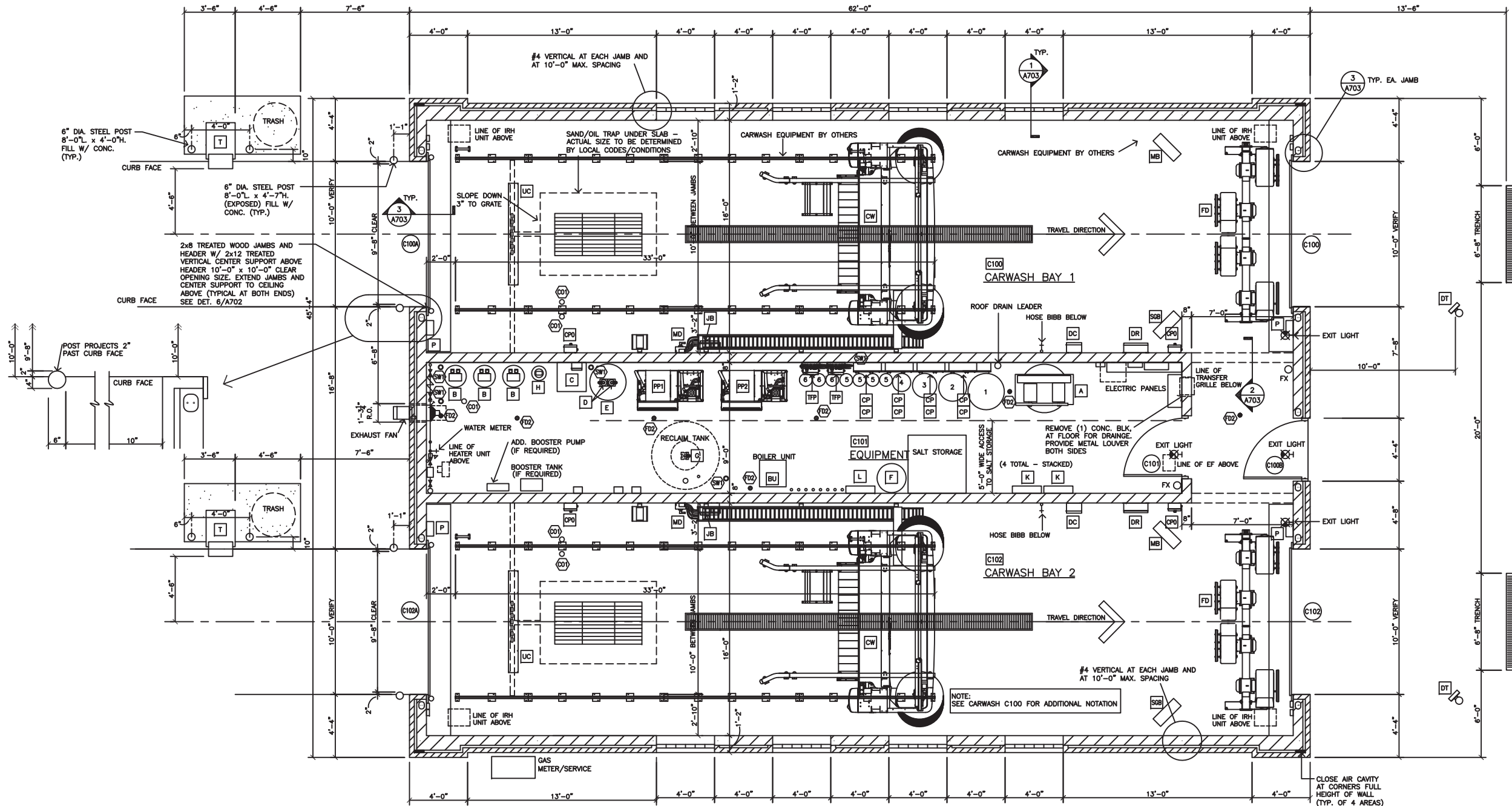
CONCRETE BLOCK IN WASH BAY:  
1. COLOR: WHITE  
2. APPLY TWO (2) COATS OF SHERWIN WILLIAMS MACROPOXY 646-100 EPOXY AT 5-10 MILS DRY FILM THICKNESS/COAT.  
3. FINISH COAT, APPLY ONE (1) COAT OF SW WATER BASED ACROLON 100 URETHANE AT 2-4 MILS DRY FILM THICKNESS/COAT.

PRECAST AND CONCRETE BLOCK IN EQUIPMENT ROOM:  
1. COLOR: WHITE  
2. APPLY ONE (1) COAT OF SHERWIN WILLIAMS MACROPOXY 646-100 EPOXY AT 5-10 MILS DRY FILM THICKNESS/COAT.  
3. FINISH COAT, APPLY ONE (1) COAT OF SW WATER BASED ACROLON 100 URETHANE AT 2-4 MILS DRY FILM THICKNESS/COAT.

SEALANTS:  
1. USE AT PERCAST JOINTS, CORNERS, FLOORS, DOORS AND WINDOWS.  
2. TREMCO/ VULCUM 116, ONE PART POLYURETHANE, COLOR - WHITE. COLOR GRAY AT FLOOR JOINTS ONLY.

EQUAL PRODUCTS BY THEMEC.: SEAL INTERIOR WINDOW SILLS AND GLASS BLOCK GROUT JOINTS.

ARCHITECT  
**LARSON**  
 ARCHITECT  
200 Mason Street #3  
Onalaska, WI 54650  
(608) 784 - 6808  
info@larsonarchitect.com



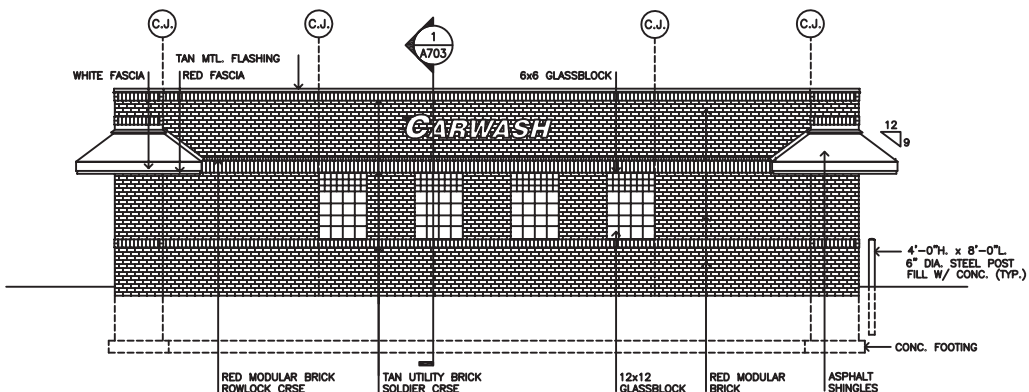
FLOOR PLAN  
1/4" = 1'-0"

**Kwik Trip**  
**Kwik Star**  
STORES

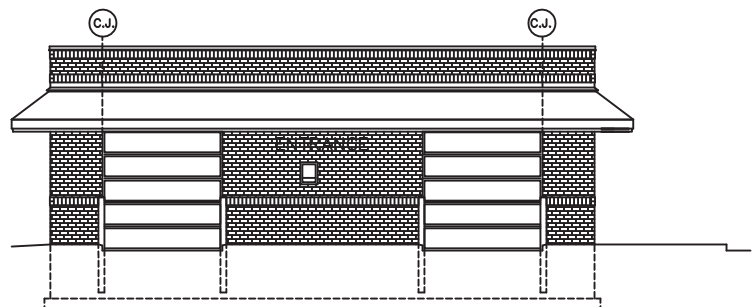
STORE #230  
VILLAGE OF PLEASANT  
PRAIRIE, WI  
**DOUBLE BAY  
CARWASH**

Revised: \_\_\_\_\_  
Issued for: SUBMITTAL  
Date: 2014 04-09  
Checked: BGF  
Drawn: \_\_\_\_\_

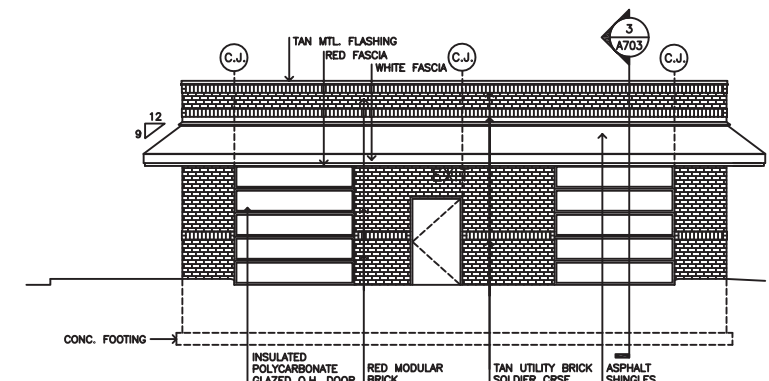
EXT. COLOR SCHED.		
MATERIAL	MANUF.	COLOR
BOLLARDS		BLACK, GLOSS
FASCIA	UNI-CLAD 24 GA.	REGAL RED STONE WHITE
ASPHALT		DUAL BLACK
MORTAR		GREY
RED BRICK	SIOUX CITY	CABERNET BURGUNDY
ROOF CAP CAR WASH	UNI-CLAD	HEMLOCK
STUCCO	TOTAL WALL	MORNING MIST SWIRL TEXTURE
TAN BRICK	SIOUX CITY	CLEAR BUFF
TRASH ENCLOSURE	UNI-CLAD	BURGUNDY



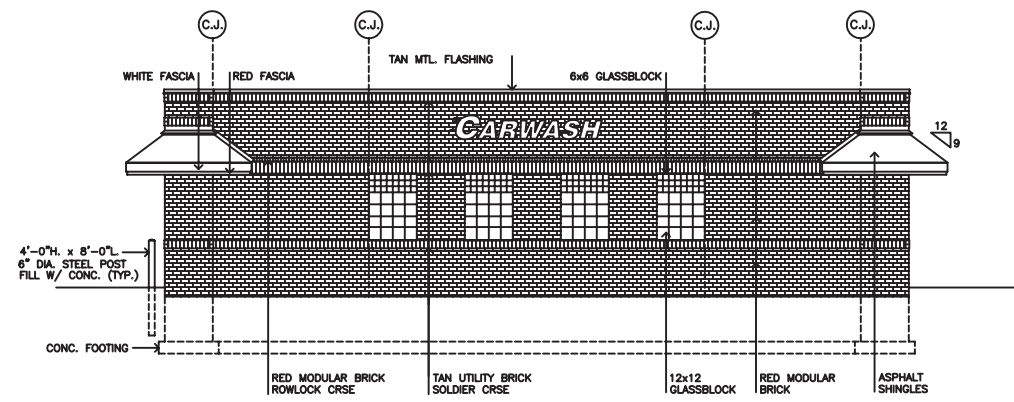
**RIGHT SIDE ELEVATION**  
1/4" = 1'-0"



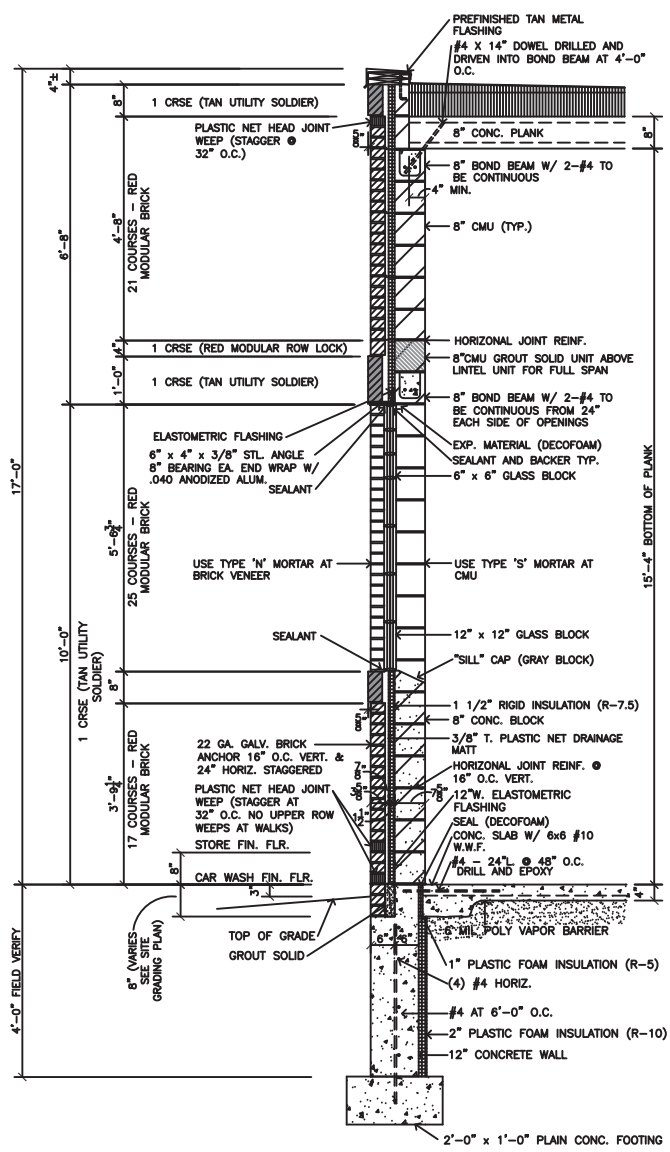
**FRONT ELEVATION**  
1/4" = 1'-0"



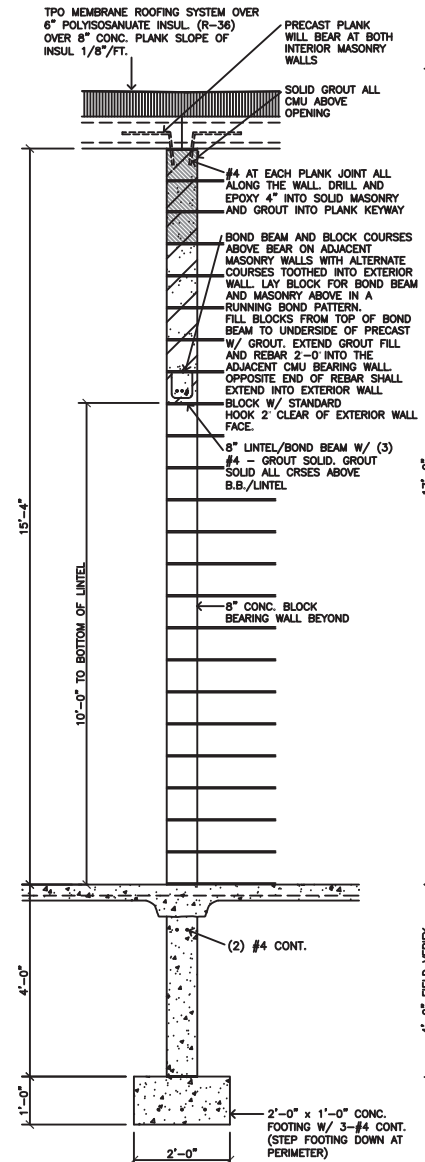
**BACK ELEVATION**  
1/4" = 1'-0"



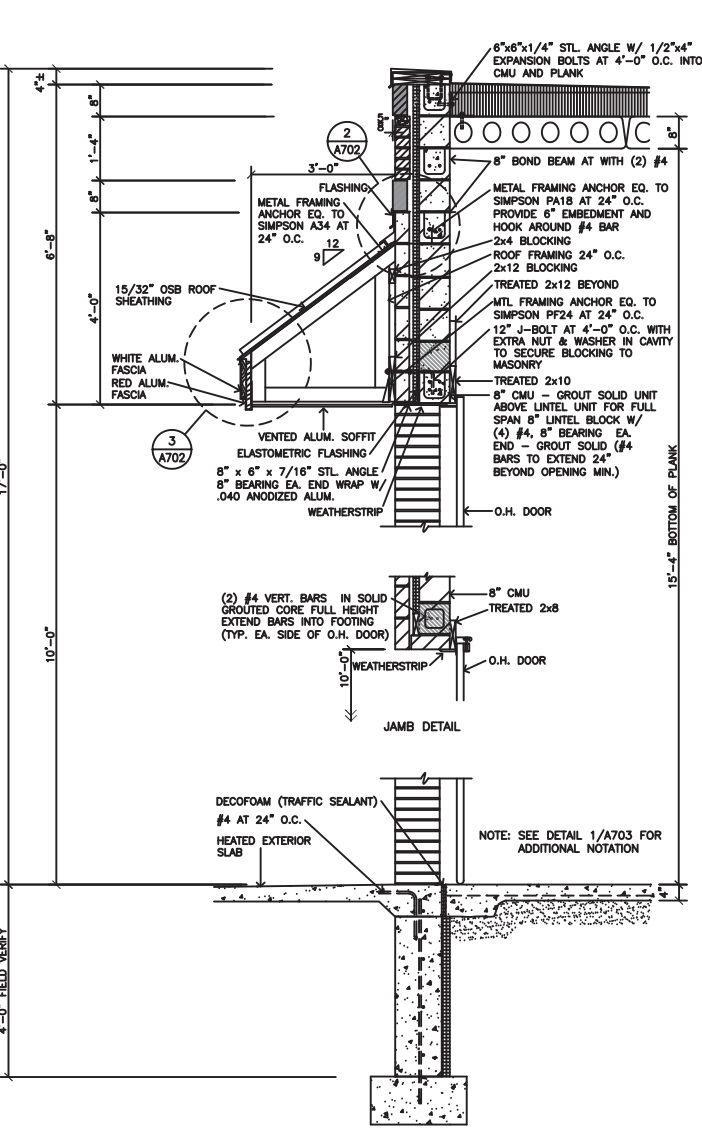
**LEFT SIDE ELEVATION**  
1/4" = 1'-0"



**1 WALL SECTION**  
A703 1/2" = 1'-0"



**2 BEARING WALL SECTION**  
A703 1/2" = 1'-0"



**3 WALL SECTION**  
A703 1/2" = 1'-0"



STORE #250  
VILLAGE OF PLEASANT  
PRAIRIE, WI  
**DOUBLE BAY  
CARWASH**

Revised: \_\_\_\_\_  
Issued for: SUBMITTAL  
Date: 2014 04-09  
Checked: BGF  
Drawn: \_\_\_\_\_



**FRONT ELEVATION**  
3/8" = 1'-0"



**SIDE ELEVATION**  
3/8" = 1'-0"

DB CW





FRONT ELEVATION  
3/16" = 1'-0"

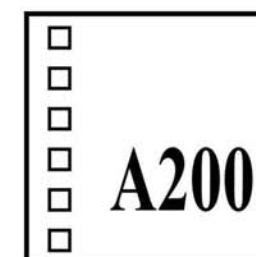


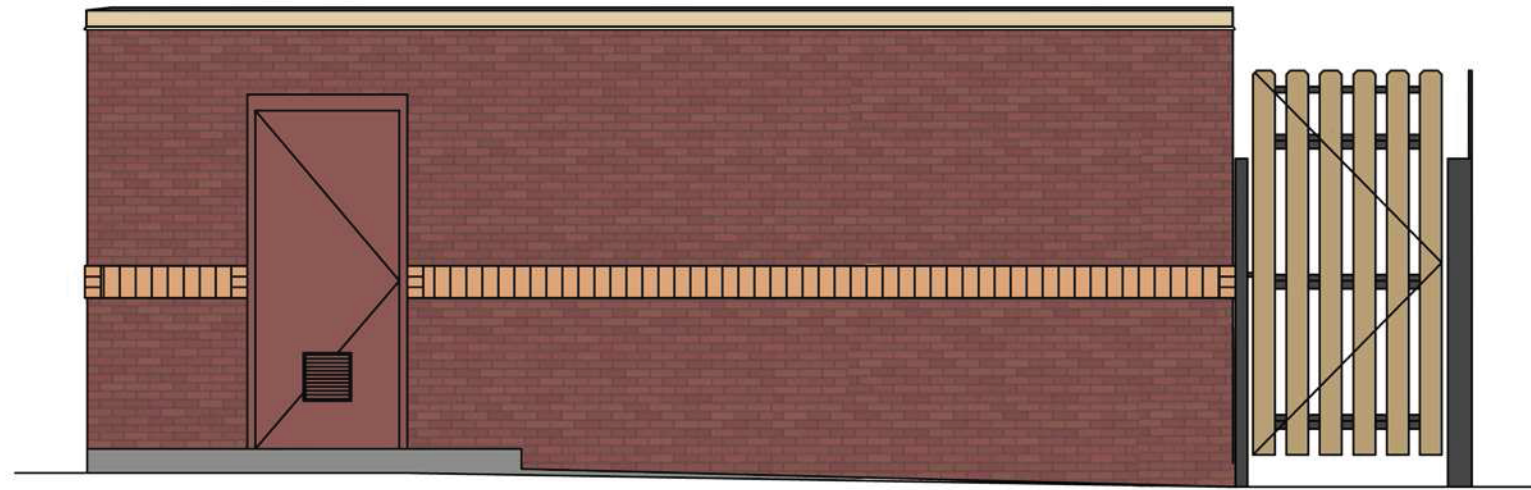
SIDE ELEVATION  
3/16" = 1'-0"



Hip Canopy  
w/ Brick

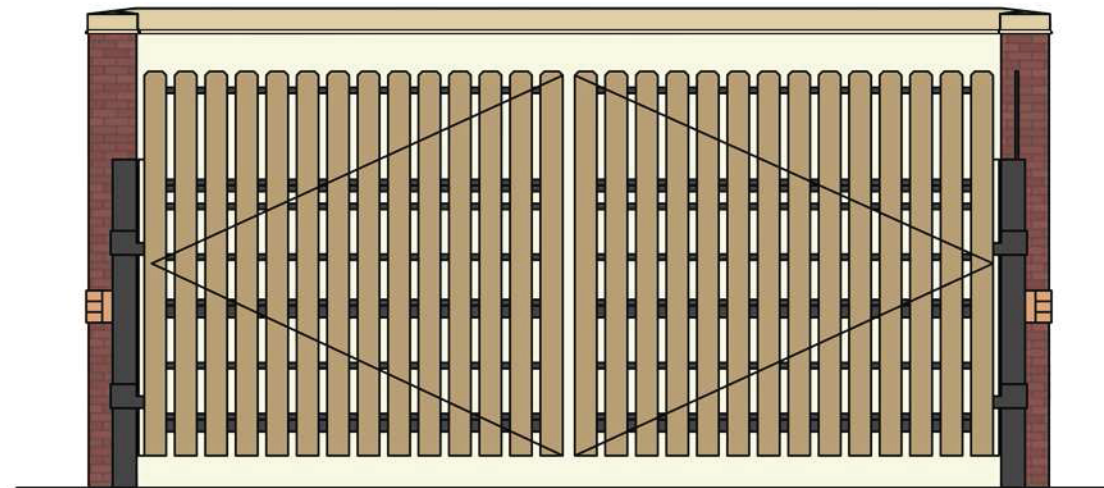
10 MPD





Side Elevation

Scale: 1/4"=1'-0"



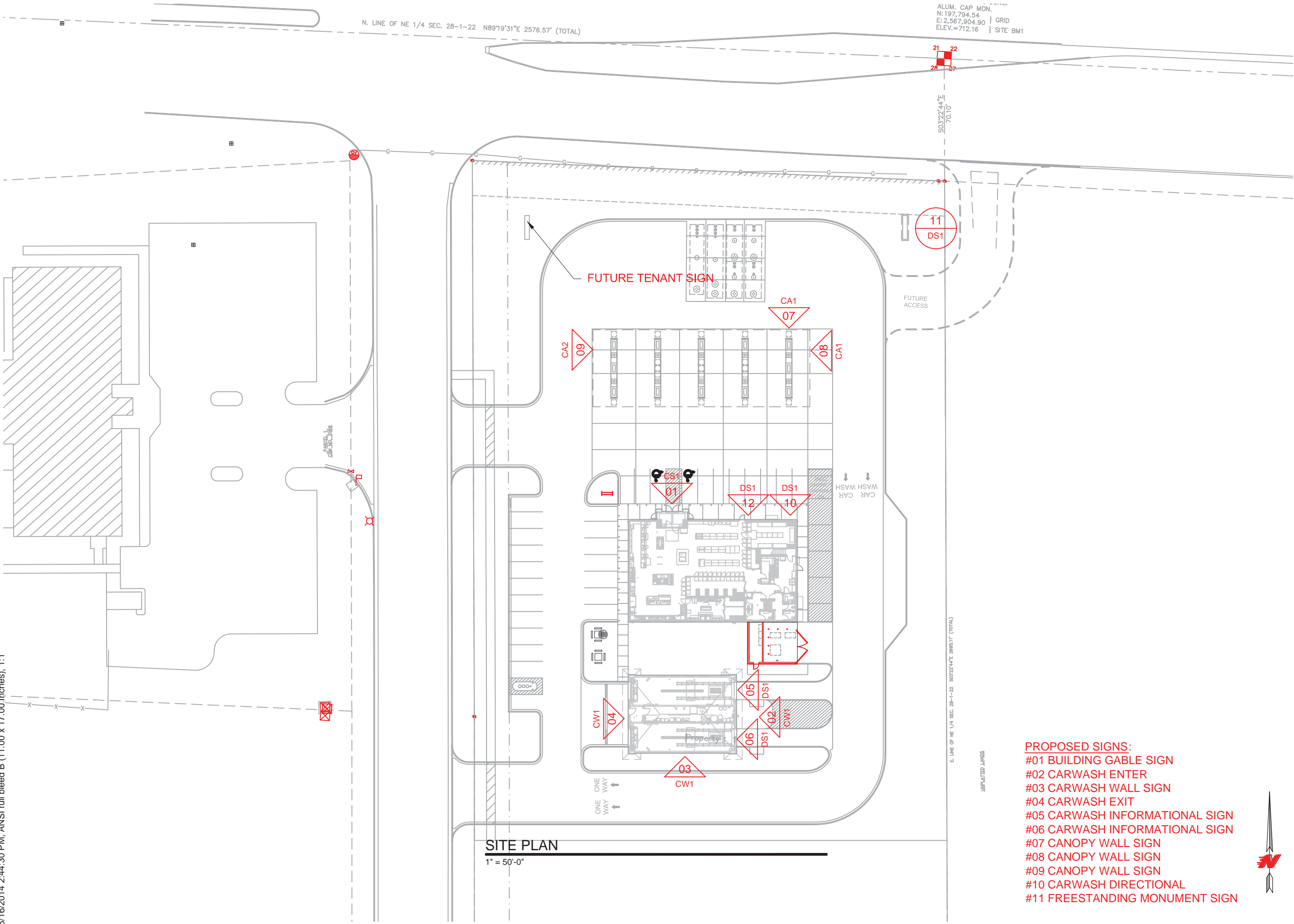
Front Elevation

Scale: 1/4"=1'-0"

DUMPSTER ENCLOSURE & STORAGE SHED



5/16/2014 2:44:30 PM. ANSI full bleed B (11.00 x 17.00 inches), 1:1



N. LINE OF NE 1/4 SEC. 28-1-22 N89°19'31"E 2576.57' (TOTAL)

ALUM. CAP MON.  
N: 197,794.54  
E: 2,567,904.90 } GRID  
ELEV.=712.16 } SITE BM1

SD3°22'44"E  
70.10'

E. LINE OF NE 1/4 SEC. 28-1-22 SD3°22'44"E 2888.11' (TOTAL)

UNPLATTED LANCE

**SITE PLAN**  
1" = 50'-0"



STORES



STORES

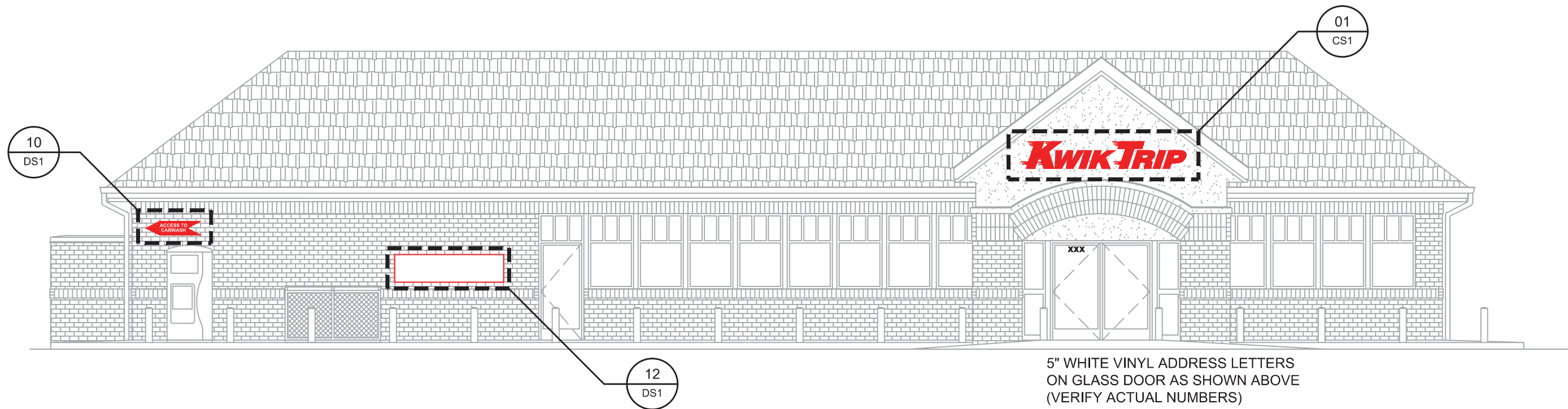
KWIK TRIP, Inc.  
P.O. BOX 2107  
1626 OAK STREET  
LA CROSSE, WI 54602-2107  
PH. (608) 781-8988  
FAX (608) 781-8960

**SITE PLAN**  
**CONVENIENCE STORE #230**  
**W/ 2-BAY CARWASH**  
HWY 165 & 72ND AVE  
PLEASANT PRAIRIE, WI

- PROPOSED SIGNS:**
- #01 BUILDING GABLE SIGN
  - #02 CARWASH ENTER
  - #03 CARWASH WALL SIGN
  - #04 CARWASH EXIT
  - #05 CARWASH INFORMATIONAL SIGN
  - #06 CARWASH INFORMATIONAL SIGN
  - #07 CANOPY WALL SIGN
  - #08 CANOPY WALL SIGN
  - #09 CANOPY WALL SIGN
  - #10 CARWASH DIRECTIONAL
  - #11 FREESTANDING MONUMENT SIGN

#	DATE	DESCRIPTION
▲	04/08/14	REVISION 1
▲	05/16/14	REVISION 2
DRAWN BY		J.OSGOOD
SCALE		MULTIPLE
PROJ. NO.		0001
DATE		2014-02-19
SHE	16 OF 24	SP1





5" WHITE VINYL ADDRESS LETTERS  
ON GLASS DOOR AS SHOWN ABOVE  
(VERIFY ACTUAL NUMBERS)

**STORE ELEVATION**  
SCALE: 1/8" = 1'-0"



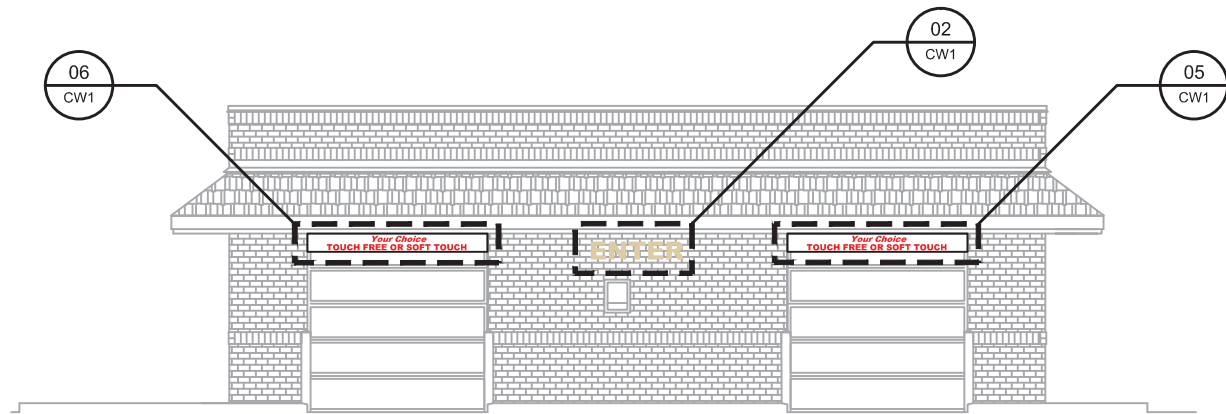
KWIK TRIP, Inc.  
P.O. BOX 2107  
1626 OAK STREET  
LA CROSSE, WI 54602-2107  
PH. (608) 781-8988  
FAX (608) 781-8960

5/16/2014 2:45:27 PM, ANSI full bleed B (11.00 x 17.00 Inches), 1:1



**LOGO DETAIL - SIGN #01**  
SCALE: 1/2" = 1'-0"

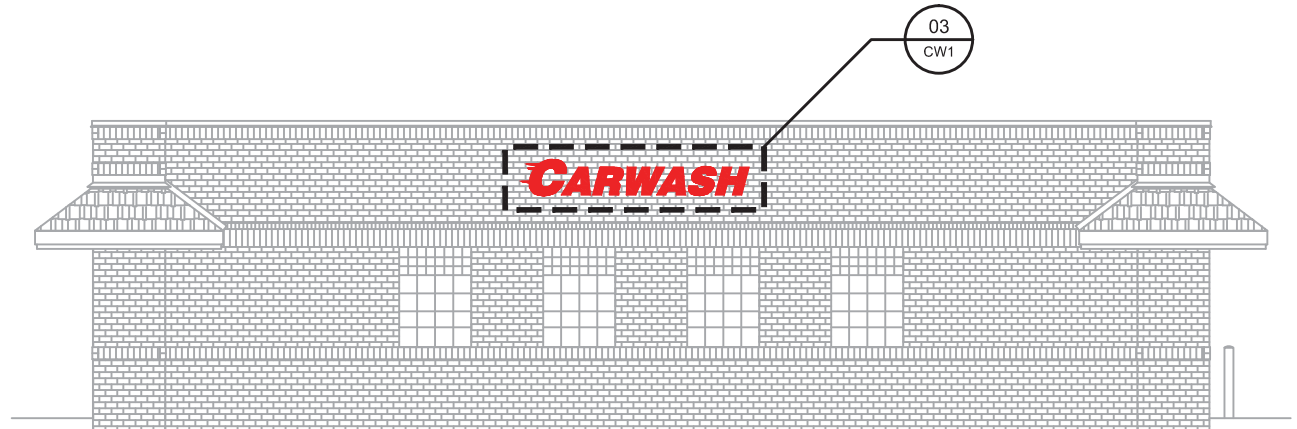
CONVENIENCE STORE SIGNAGE	CONVENIENCE STORE #230 W/ 2-BAY CARWASH	HWY 165 & 72ND AVE PLEASANT PRAIRIE, WI
#	DATE	DESCRIPTION
△	04/08/14	REVISION 1
△	05/16/14	REVISION 2
DRAWN BY		J.OSGOOD
SCALE		MULTIPLE
PROJ. NO.		0001
DATE		2014-02-19
SHE	17 OF 24	CS1



ENTER: 12" TALL X 48" LONG  
DESERT SAND (TAN) LETTERS

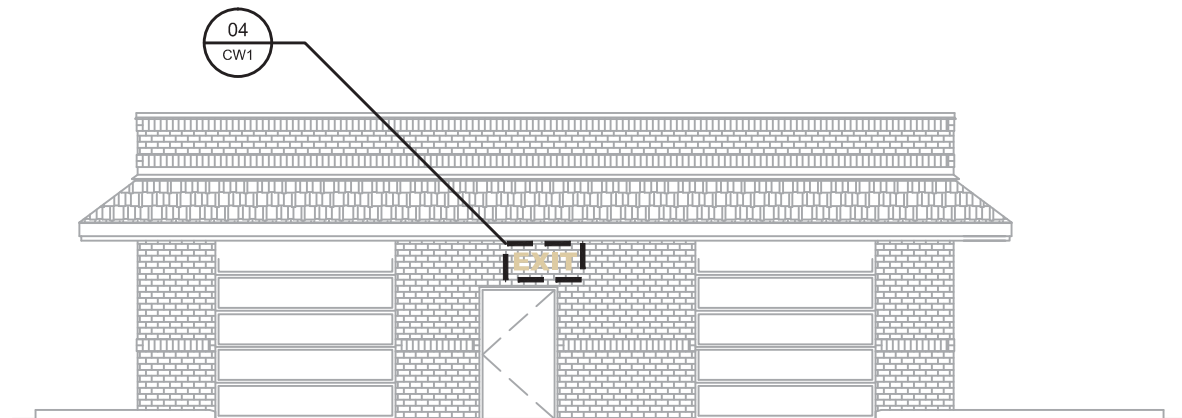
**ENTER ELEVATION**

SCALE: 3/32" = 1'-0"



**SIDE ELEVATION**

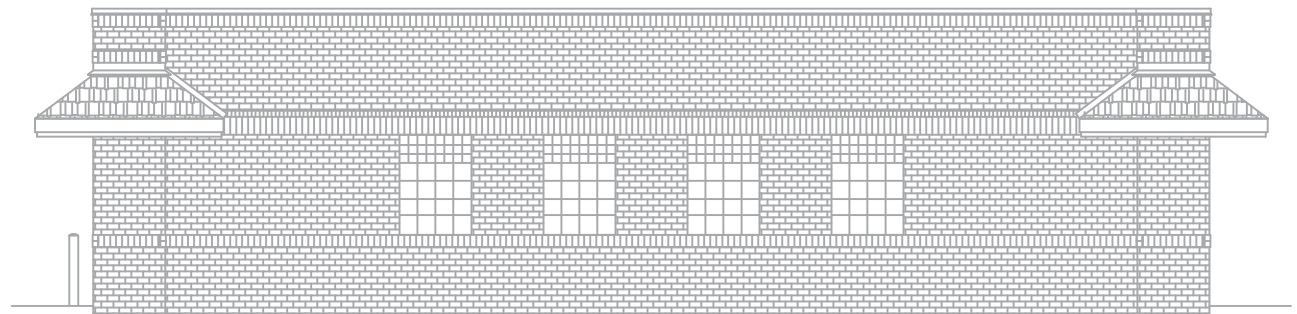
SCALE: 3/32" = 1'-0"



EXIT: 12" TALL X 36" LONG  
DESERT SAND (TAN) LETTERS

**EXIT ELEVATION**

SCALE: 3/32" = 1'-0"



**SIDE ELEVATION**

SCALE: 3/32" = 1'-0"



**LOGO DETAIL - SIGN #03**

SCALE: 1/2" = 1'-0"

**KWIK TRIP**

STORES

**KWIK STAR**

STORES

KWIK TRIP, Inc.  
P.O. BOX 2107  
1626 OAK STREET  
LA CROSSE, WI 54602-2107  
PH. (608) 781-8988  
FAX (608) 781-8960

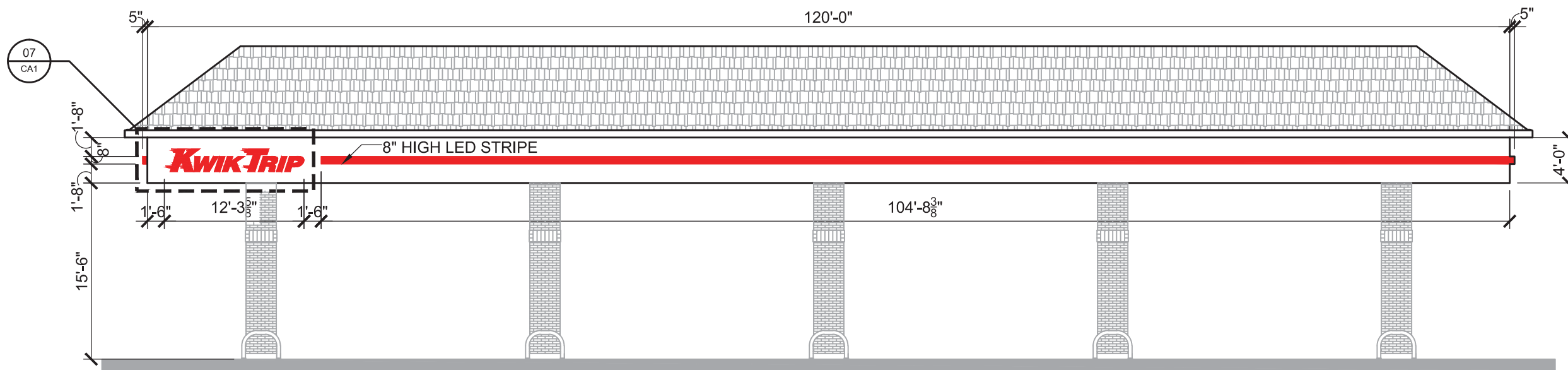
CARWASH SIGNAGE

CONVENIENCE STORE #230  
W/ 2-BAY CARWASH

HWY 165 & 72ND AVE  
PLEASANT PRAIRIE, WI

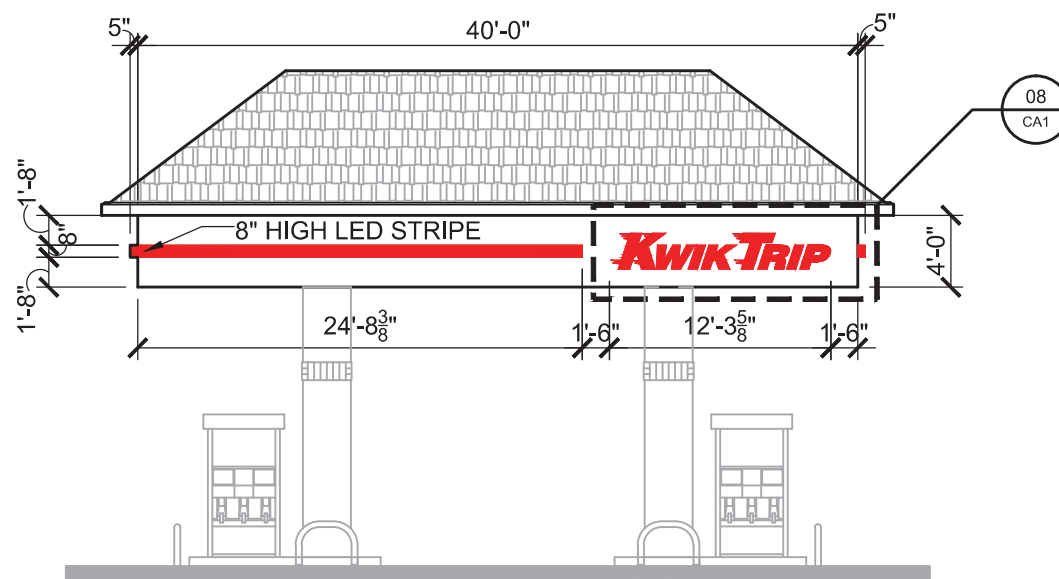
#	DATE	DESCRIPTION
△	04/08/14	REVISION 1
△	05/16/14	REVISION 2

DRAWN BY J.OSGOOD  
SCALE MULTIPLE  
PROJ. NO. 0001  
DATE 2014-02-19



**CANOPY ELEVATION**

SCALE: 3/32" = 1'-0"



**CANOPY ELEVATION**

SCALE: 3/32" = 1'-0"



**LOGO DETAIL - SIGNS #07 & #08**

SCALE: 1/2" = 1'-0"



STORES

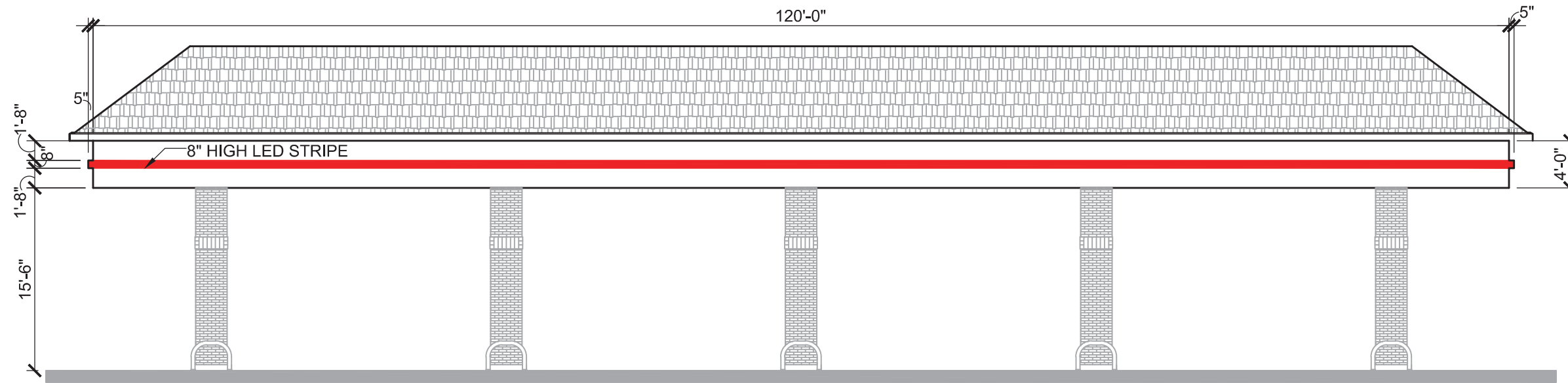


STORES

KWIK TRIP, Inc.  
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1626 OAK STREET  
LA CROSSE, WI 54602-2107  
PH. (608) 781-8988  
FAX (608) 781-8960

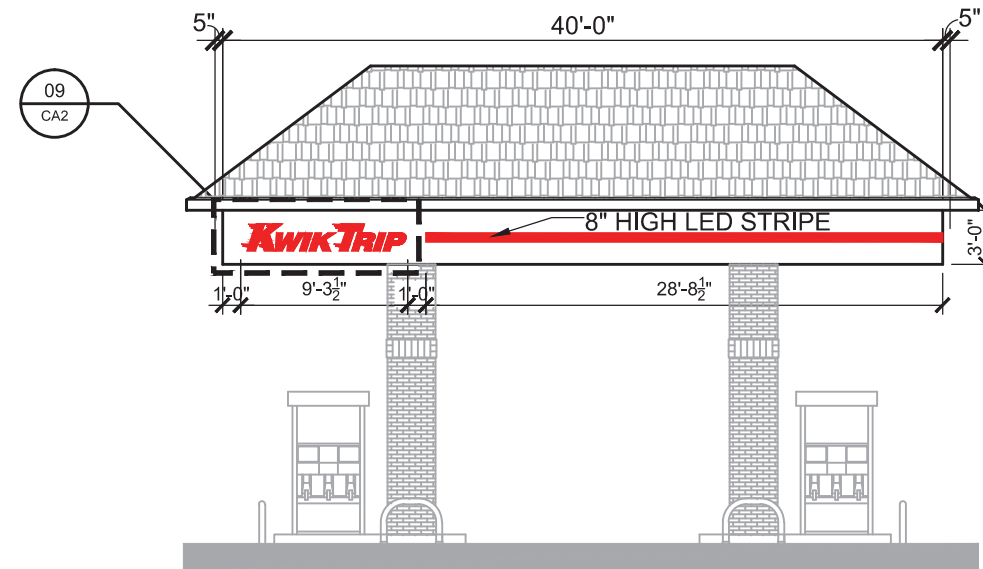
CANOPY SIGNAGE  
CONVENIENCE STORE #230  
W/ 2-BAY CARWASH  
HWY 165 & 72ND AVE  
PLEASANT PRAIRIE, WI

#	DATE	DESCRIPTION
△	04/08/14	REVISION 1
△	05/16/14	REVISION 2
DRAWN BY		J.OSGOOD
SCALE		MULTIPLE
PROJ. NO.		0001
DATE		2014-02-19
SHEET	19 OF 24	CA1



**CANOPY ELEVATION**

SCALE: 3/32" = 1'-0"



**CANOPY ELEVATION**

SCALE: 3/32" = 1'-0"



**LOGO DETAIL - SIGN #09**

SCALE: 1/2" = 1'-0"

**KWIK  
TRIP**

STORES

**KWIK  
STAR**

STORES

KWIK TRIP, Inc.  
P.O. BOX 2107  
1626 OAK STREET  
LA CROSSE, WI 54602-2107  
PH. (608) 781-8988  
FAX (608) 781-8960

CANOPY SIGNAGE  
CONVENIENCE STORE #230  
W/ 2-BAY CARWASH  
HWY 165 & 72ND AVE  
PLEASANT PRAIRIE, WI

#	DATE	DESCRIPTION
△	04/08/14	REVISION 1
△	05/16/14	REVISION 2

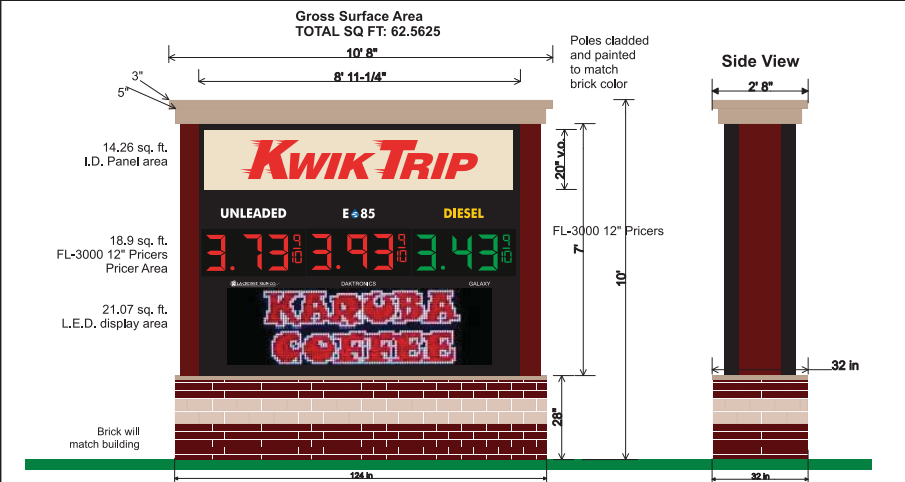
DRAWN BY: J.OSGOOD  
SCALE: MULTIPLE  
PROJ. NO.: 0001  
DATE: 2014-02-19

SH 20 OF 24 CA2



# Kwik Trip

## #230 Pleasant Prairie, WI



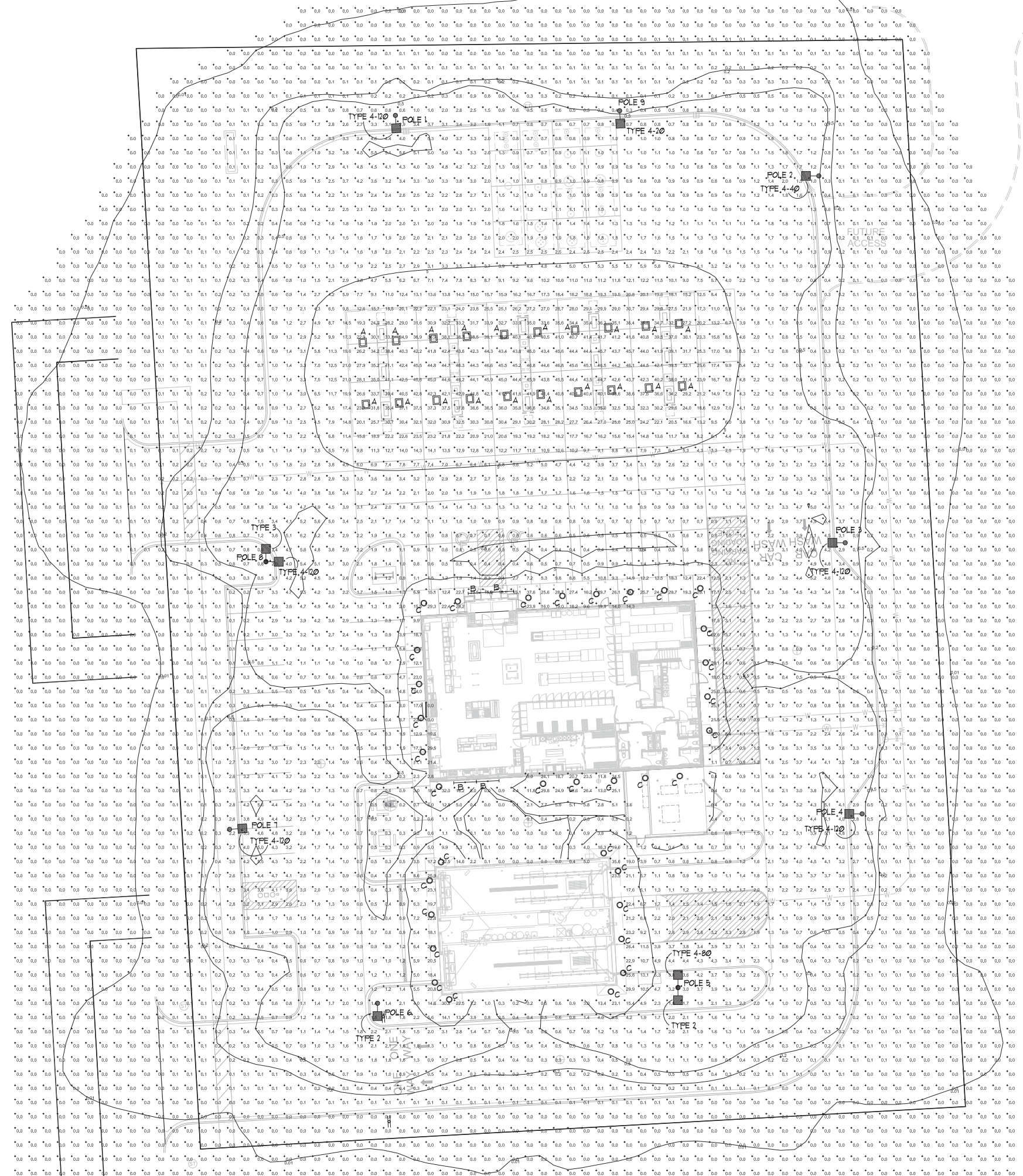
\*COLORS ON SKETCH ARE A REPRESENTATION, ACTUAL COLOR MAY DIFFER

LA CROSSE SIGN CO.  
MAKE A STATEMENT!

Date: 2-5-2014  
Job #: 77597  
Artist: Danielle Waas  
Sales: Cindy Bluske  
Scale: 3/8"=1'

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APPROVED BY: \_\_\_\_\_



**FIXTURE QUANTITIES**

- A - 20
- B - 4
- C - 34
- TYPE 2 - 2
- TYPE 3 - 1
- TYPE 4-20 - 1
- TYPE 4-40 - 1
- TYPE 4-80 - 1
- TYPE 4-120 - 5

PROVIDE A TOTAL OF (9) 11' POLES.

**CALCULATION STATISTICS**

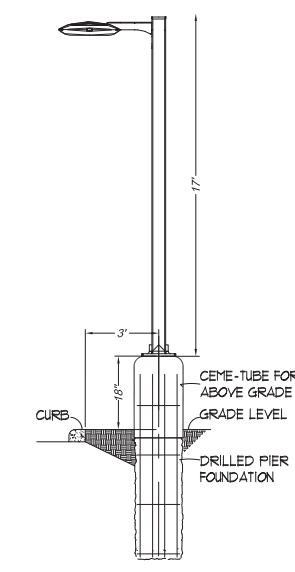
AVERAGE: 29fc  
 MAXIMUM: 46.8fc  
 MINIMUM: 0.0fc

**FIXTURE TYPES:**

- A - CREE LIGHTING: CAN-304-SL-R5-06-E-UL-UH-100  
MOUNTING HEIGHT - 16'-0"
  - B - LED STRIPLIGHT  
LITHONIA - ZLI-L96-LB840  
MOUNTING HEIGHT: SEE ARCHITECTURAL ELEVATIONS
  - C - RECESSED LED DOWNLIGHT  
GOTHAN EVO-4129-8AR-120-TRU
- TYPE 2 - CREE LIGHTING: ARE-EDG-21M-DA-04-E-UL-UH-350  
POLE MOUNTED TYPE II 40 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
  - TYPE 3 - CREE LIGHTING: ARE-EDG-3MB-DA-02-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE III 20 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
  - TYPE 4-20 - CREE LIGHTING: ARE-EDG-4MB-DA-02-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE IV 20 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
  - TYPE 4-40 - CREE LIGHTING: ARE-EDG-4MB-DA-04-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE IV 40 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
  - TYPE 4-80 - CREE LIGHTING: ARE-EDG-4MB-DA-08-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE IV 80 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
  - TYPE 4-120 - CREE LIGHTING: ARE-EDG-4MB-DA-12-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE IV 120 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"

**FIXTURE SYMBOLS:**

- A RECESSED LIGHT MOUNTED UNDER CANOPY
- B LED STRIP LIGHT
- C RECESSED DOWNLIGHT
- POLE MOUNTED LED FIXTURE
- TYPES 2, 3 AND 4



**LOT LIGHT ELEVATION DETAIL**  
NOT TO SCALE

POLE TO BE PAINTED WHITE. POLE BASE TO BE PAINTED A COLOR THAT IS ACCEPTABLE TO THE MUNICIPALITY OF PLEASANT PRAIRIE.



**PHOTOMETRIC SITE PLAN**  
SCALE: 1" = 20'-0"

**KWIK TRIP STORES**

**KWIK STAR STORES**

**KWIK TRIP, Inc.**  
 P.O. BOX 2107  
 1626 OAK STREET  
 LA CROSSE, WI 54602-2107  
 PH. (608) 781-8988  
 FAX (608) 781-8960

**JSD Professional Services, Inc.**  
 Engineers • Surveyors • Planners

MILWAUKEE REGIONAL OFFICE  
 N22 W2891 NANCY'S COURT SUITE 3  
 WAUKESHA, WISCONSIN 53186  
 262.513.0666 PHONE | 262.513.1232 FAX

MADISON | MILWAUKEE | KENOSHA | APPLETON

**PHOTOMETRIC SITE PLAN**

**CONVENIENCE STORE #230**  
**WITH DOUBLE BAY CARWASH**

STH 165 AND 72ND AVE.  
 VILLAGE OF PLEASANT PRAIRIE, WI

#	DATE	DESCRIPTION

REVISED 05-19-14

DRAWN BY	GZE
SCALE	
JSD PROJ. NO.	09-3795B
DATE	2014-04-04
SHEET	23 OF 24 E1

C14091

**CZARNECKI ENGINEERING INCORPORATED**

121 MARLIN COURT, SUITE B - WAUKESHA, WI 53186  
 VOICE: (262) 513-2000 FAX: (262) 513-1033  
 WEB: www.cze.com





KWIK TRIP, Inc.  
 P.O. BOX 2107  
 1626 OAK STREET  
 LA CROSSE, WI 54602-2107  
 PH. (608) 781-8988  
 FAX (608) 781-8960

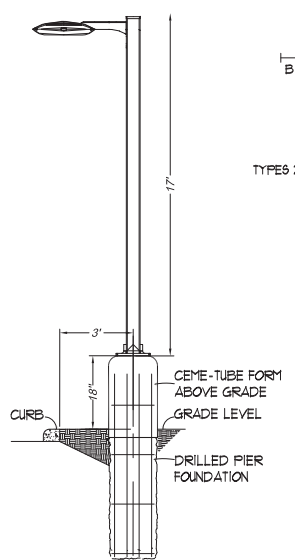
**JSD Professional Services, Inc.**  
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 MILWAUKEE REGIONAL OFFICE  
 N22 W2351 NANCY'S COURT SUITE 3  
 WAUKESHA, WISCONSIN 53186  
 262.513.0666 PHONE | 262.513.1232 FAX  
 MADISON | MILWAUKEE | KENOSHA | APPLETON

**NOTE:**  
 FOOTCANDLE LEVELS ARE MEASURED AT 4' ABOVE GRADE.

- FIXTURE TYPES:**
- A - CREE LIGHTING: CAN-304-SL-R5-06-E-UL-UH-100  
MOUNTING HEIGHT = 16'-0"
  - B - LED STRIPLIGHT  
LITHONIA - ZLI-L96-LB40  
MOUNTING HEIGHT: SEE ARCHITECTURAL ELEVATIONS
  - C - RECESSED LED DOWNLIGHT  
GOTHAM EVO-4129-8AR-120-TRU

- TYPE 2 - CREE LIGHTING: ARE-EDG-21M-DA-04-E-UL-UH-350  
POLE MOUNTED TYPE II 20 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
- TYPE 3 - CREE LIGHTING: ARE-EDG-3MB-DA-02-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE III 20 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
- TYPE 4-40 - CREE LIGHTING: ARE-EDG-4MB-DA-04-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE IV 40 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
- TYPE 4-40 - CREE LIGHTING: ARE-EDG-4MB-DA-04-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE IV 40 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
- TYPE 4-80 - CREE LIGHTING: ARE-EDG-4MB-DA-08-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE IV 80 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"
- TYPE 4-120 - CREE LIGHTING: ARE-EDG-4MB-DA-12-E-UL-UH-350  
WITH BACKLIGHT SHIELD  
POLE MOUNTED TYPE IV 120 LED FIXTURE  
POLE MOUNTED AT A TOTAL HEIGHT OF 18'-6"

- FIXTURE SYMBOLS:**
- A  RECESSED LIGHT MOUNTED UNDER CANOPY
  - B  LED STRIP LIGHT
  - C  RECESSED DOWNLIGHT
  -  POLE MOUNTED LED FIXTURE  
TYPES 2, 3 AND 4



**LOT LIGHT ELEVATION DETAIL**  
 NOT TO SCALE

POLE TO BE PAINTED WHITE. POLE BASE TO BE PAINTED A COLOR THAT IS ACCEPTABLE TO THE MUNICIPALITY OF PLEASANT PRAIRIE.

REVISED 05-19-14

C14091  
**CZARNECKI ENGINEERING INCORPORATED**  
 121 MARLIN COURT, SUITE B - WAUKESHA, WI 53186  
 VOICE: (262) 513-2000 FAX: (262) 513-1033  
 WEB PAGE: www.czeng.com

PHOTOMETRIC SITE PLAN  
 CONVENIENCE STORE #230  
 WITH DOUBLE BAY CARWASH  
 STH 165 AND 72ND AVE.  
 VILLAGE OF PLEASANT PRAIRIE, WI

#	DATE	DESCRIPTION

DRAWN BY: **CZE**  
 SCALE:  
 JSD PROJ. NO.: 09-3795B  
 DATE: 2014-04-04



Draft 5/27/14

**AGREEMENT REGARDING DIGITAL SECURITY IMAGING SYSTEM ("DSIS")  
BETWEEN THE VILLAGE OF PLEASANT PRAIRIE  
AND KWIK TRIP, INC.**

THIS AGREEMENT regarding the Digital Security Imaging System (DSIS) (hereinafter referred to as the "Agreement"), is entered into this \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the VILLAGE OF PLEASANT PRAIRIE, WISCONSIN, a Wisconsin municipal corporation with offices located at 9915 39<sup>th</sup> Avenue, Pleasant Prairie, Wisconsin 53158 (referred to as the "Village") and Kwik Trip, Inc., a Wisconsin Corporation with a business address of 1626 Oak Street, La Crosse, WI 54602-2107 (referred to as "Kwik Trip Convenience Store #230"). In this Agreement, Kwik Trip is referred to as the "Owner".

**WITNESSETH:**

**WHEREAS**, the Village Board conditionally approved a Certified Survey Map (CSM) #\_\_\_\_ on June \_\_, 2014 to subdivide the approximate 5.885 acre parcel into two (2) Lots. The Owner of the real estate commonly known as Lot 1 of CSM #\_\_\_\_, (**Exhibit A**) was recorded in the Office of the Register of Deeds for Kenosha County, Wisconsin as Document No. \_\_\_\_\_, as being a part of the Northeast One-Quarter of the Northeast One-Quarter of U.S. Public Land Survey Section 28, Township 1 North, Range 22 East of the Fourth Principal Meridian, in the Village of Pleasant Prairie, Kenosha County, Wisconsin. Lot 1 is further identified as Village Tax Parcel #s 92-4-122-281-\_\_\_\_\_ and known as the "Owner's Property" in this Agreement; and

**WHEREAS**, the Owner's Property is presently zoned B-2, Community Business District, with a Conditional Use Permit granted by the Village Plan Commission on June \_\_, 2014, which zoning classification and special use permit allows for the development and operation of a commercial gas station, convenience store and car wash subject to certain conditions as noted in the attached Conditional Use Permit; (**Exhibit B**) and

**WHEREAS**, The Owner desires to proceed with the development of the Kwik Trip #230 gasoline and convenience store located on the Owner's Property with an address of 71\_\_ 104<sup>th</sup> Street, Pleasant Prairie, WI 53158, consisting of approximately a 5,770 square foot convenience store, 2,790 square foot car wash and 10 gasoline pumps under a canopy on an 2.375-acre development site; and

**WHEREAS**, the Owner is proposing a gasoline, convenience store and dual lane car wash, which is proposed to open to the public, only between the hours of 5:00 a.m. to 12:00 midnight up to seven days per week. The hours for gasoline and convenience store deliveries shall only be between 4:00 a.m. and midnight. The gasoline pumps and car wash shall not be operated unattended, no 24-hour gas pump or car wash services are allowed. Direct driveway access to the Kwik Trip # 230 shall be provided through two (2) driveways from 72<sup>nd</sup> Avenue. Future

vehicular and pedestrian cross access shown at the northeast corner of the site (identified as "Future Access") shall be provided between Kwik Trip and the future commercial land lying to the east of Kwik Trip; and

**WHEREAS**, the Village Plan Commission conditionally approved the Final Site and Operational Plans for proposed Kwik Trip #230 on June \_\_, 2014; and

**WHEREAS**, Section 420-145 E. and F of the Village Conditional Use Permit regulations of the Village Zoning Ordinance provides authority for the Village Plan Commission to require additional provisions such as a Digital Security Imaging System (DSIS) in order to assist in protecting the public's health, safety and welfare as referenced below in the Village Security Ordinance; and

**WHEREAS**, the implementation and usage of the DSIS will greatly aid law enforcement agencies in subsequent criminal investigations and prosecutions because of the advanced visual assessment of the Property as it may pertain to a person or persons (personal identification), a location (scene identification) and/or a situation (action identification) in emergency situations; and

**WHEREAS**, the implementation and usage of the DSIS will greatly aid Village fire and rescue personnel in responding to emergency situations at the Owner's Property; and

**WHEREAS**, Section 410-7 of the referenced Security Ordinance Chapter of the General Code of the Village provides the authority to the Community Development Department to have the discretion, on a case by case basis, to determine the adequacy, ownership and easement requirements of the DSIS. Further, the Community Development Department has the right to modify certain requirements of Chapter 410 pertaining to the details of the security system, and the Department has agreed to do so, based upon this Agreement being executed between the parties; and

**WHEREAS**, the Owner and the Village Community Development Department have reached an agreement under Section 410-7 that the Owner shall install, inspect and maintain the DSIS per the Village's Security Ordinance requirements, except as modified by this Agreement. Further, the Owner shall grant a **DSIS Access Easement** to the Village allowing access and maintenance rights to the Kwik Trip #230 DSIS system and areas associated with the DSIS insofar as the Village has the right, but not the obligation, to maintain the DSIS system at the Owner's cost, if the Owner fails to do so; and

**WHEREAS**, the Owner recognizes that the Village may incur some inspection or maintenance costs with respect to the inspection or maintenance of the DSIS system on the Owner's Property and said costs shall be invoiced to the Owner and the Owner has agreed to reimburse the Village for certain referenced costs related to the DSIS system monitoring and inspection.

**NOW, THEREFORE,** in consideration of the promises and covenants contained herein, the sufficiency of which is hereby acknowledged, the Owner and the Village agree as follows:

1. Video Surveillance and Easement Requirements. As a pre-condition to the Village granting any verbal or written building occupancy permits or approvals required by the Owner for the Kwik Trip gasoline, car wash and Convenience Store #230 to be occupied, the Owner shall install, make operable and usable to the satisfaction of the Village, the on-site DSIS for security surveillance purposes. The DSIS shall be the system described in **Exhibit C** which was created pursuant to the proposal prepared by Brett Gooden, with Loss Prevention Offices located at Kwik Trip, Inc. P.O. Box 1597, 1626 Oak Street, La Crosse, WI 54602-1597; 1-(877) 594-5874, for the Owner, with the plans and video surveillance hardware specifications dated \_\_\_\_\_, 2014, the details of which are on file with the Village Police Department. The Owner will hire a qualified contractor who shall install the DSIS. During the installation of the DSIS as provided herein, the Village shall have the right to inspect the DSIS at the Owner's expense.

After the installation, and Village inspection and system testing is complete, and if it meets with the approval of the Village, the Village shall notify the Owner of the Village's acceptance of the DSIS. The Owner agrees to sign and deliver to the Village copies of any and all documents (e.g. DSIS installation and warranty information, copies of paid invoices for the work performed, copies of contractor lien waivers and an as-built drawing of the DSIS) that are reasonably requested by the Village to confirm such installation and operation of the DSIS to the Village. The DSIS shall be installed with at least a one (1) year warranty from the manufacturer and installer. The Owner shall be solely responsible for the costs for the purchase and installation and the subsequent ongoing maintenance of the DSIS.

In the event that the Owner alters the building, adds on to the building or otherwise changes or increases the landscaping or development on their Property, such Owner shall be responsible for installing, at the Owner's sole expense, such additional cameras and other exterior DSIS as the Village determines are necessary and appropriate to carry out the purposes of this Agreement. The initial DSIS system installed in accordance with **Exhibit C** and any future additions to such system as exterior building alterations or changes within the development or new or additional development takes place on the Owners' Property, shall all be referred to as the "DSIS" for purposes of this Agreement.

a. Digital Security Imaging, Storage Devices, Related Equipment and Easements Required.

i. The DSIS shall provide for surveillance of the exterior building perimeters, building entrance/exit areas, rear and side areas, walkways, picnic areas and parking lots entrances (and future entrances) within the development. The DSIS as described in **Exhibit C** shall adequately cover the Owner's Property as the Village deems reasonably necessary. If any changes or expansions are made to any portion of the Owner's Property, the determination as

to the number and type of cameras which are reasonably necessary for the Village's surveillance needs shall rest within the reasonable discretion of the Village. All parties acknowledge it is the intent of the parties that the DSIS camera equipment will be located on exterior light standards of the Owner's Property and attached via non-penetrating building mounts, as shown on **Exhibit C**. Any DSIS equipment added after any change to the Kwik Trip # 230 Property such as when the cross access to the east is completed by Kwik Trip shall be at the sole discretion of the Village. Kwik Trip #230 will utilize its best efforts to ensure that the DSIS is as aesthetically tasteful and architecturally harmonious as reasonably possible. Without limiting the discretion of the Village under this Paragraph, the parties agree that any cameras and systems which are consistent with those contained in **EXHIBIT C** are aesthetically tasteful, architecturally harmonious and satisfactory to all parties.

ii. The DSIS will function as set forth in **Exhibit C** and as deemed necessary by the Village, which shall function continuously, whether the business is open or closed and shall provide visible surveillance to the above described areas during hours of daylight and darkness. As such, sufficient light, as determined by the Village, shall be provided during the evening or night-time hours to guarantee the function, operation and clear viewing by the infra-red camera system.

iii. The Owner agrees to provide the DSIS in a locked and secured location within the Kwik Trip Convenience Store #230 facility on the Owner's Property that will be accessible for inspection and electronically accessed via a separate VPN internet connection with the assistance of the Owner. The Owner agrees that only managerial employees of the Owner, any contractors to the extent necessary for installation, maintenance and repair of the DSIS, and representatives of the Village for inspection, shall have access to the secured location. The Owner shall provide the Village access to the secured location as provided herein upon reasonable verbal or written advance notice from the Village to Owner. Notice given twenty-four (24) or more hours in advance shall conclusively be deemed reasonable and notice given less than twenty-four (24) hours in advance may also be reasonable depending upon the circumstances.

iv. The Owner agrees to be responsible for all financial costs associated with the monthly billings for the utilities, electricity and high speed internet business connection for the DSIS equipment by making payments directly to the utility and communication companies. The Owner shall also be responsible for the heat, electricity and routine maintenance of the secured security area which houses the DSIS equipment.

v. All digital video recorded by such system shall be archived in the secured area for a period of not less than two (2) weeks and shall be available to the Village Police Department for public safety purposes directly through Internet Protocol (IP) transmission via the Village's area-wide data network and shall also provide a "real time", "live look" surveillance capability via that same network. The Village Police Department shall have log-in capabilities to the DSIS

"live-look" system on the Property independent of the Owner's personnel. In addition, Village fire and rescue personnel may also view the digital video and live stream from the DSIS to assist them in responding to any emergency on the Owner's Property. Proper software security keys and logins will be provided to the Village Police and IT Departments to provide immediate access to both "real time" access as well as historical video as required.

vi. The Owner shall grant a permanent Access Easement to the Village allowing access and maintenance rights, if the Owner fails to maintain the DSIS, to all such systems, equipment, devices and areas associated with the DSIS. The Village shall have the right, but not the obligation, to maintain the DSIS system at the financial cost of the Owner. All expenses incurred by the Village for the maintenance of the DSIS shall be paid to the Village by the Owner within ten (10) business days following written demand by the Village. At the time of the execution of this Agreement by the Owner, the Owner shall also execute the recordable Access Easement document attached hereto as **Exhibit D** and incorporated herein by reference.

b. Costs for the Video Surveillance System.

i. The Owner shall have exclusive ownership and sole responsibility for the installation, operation, monitoring and maintenance of the DSIS. The Owner further covenants to operate, update and maintain the DSIS in good condition and repair. The Owner shall be responsible for the: (a) costs of installation, (b) internet connection for the DSIS with a static IP address assigned to the DSIS connection and (c) inspection, equipment maintenance, repairs, insurance, and replacement and upgrading of the DSIS as necessary with such upgrading as needed being only for a reasonably comparable replacement of any equipment then being used in the DSIS.

ii. As referenced above, the Owner has agreed to provide utilities to serve both the DSIS equipment and the secured area housing the DSIS. The Owner, at its sole cost and expense, shall also provide a conduit running to the security cameras as described in **Exhibit C** for low voltage as well as a separate conduit running to the cameras for high voltage. The Owner shall provide a business broadband internet connection to serve the DSIS. This broadband internet connection shall represent a clear, non-pixelated video image transmission to the Village Police Department and shall be reasonably acceptable to the Village IT Department.

c. Termination. The Owner may not terminate the DSIS at any time without prior written approval and notice from the Village. The Owner shall notify the Village Police Department Dispatch Center via the telephone and by U.S. mail to the persons as noted below whenever the DSIS is inoperable or the DSIS is unusable due to maintenance or testing. Further, if the DSIS is deemed by the Village as being inoperable or unusable for a time period in excess of 30 days without notification to the Village, the Owner shall be deemed to be in violation of Section 410 of the Village Code.

## 2. Miscellaneous.

a. Governing Law; Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Wisconsin. The parties agree that any dispute under this Agreement shall be venued only in the Circuit Court for Kenosha County.

b. Attorneys' Fees and Interest. If either party defaults in the performance or observation of any of the terms, conditions, covenants or obligations contained in this Agreement and the complaining party places the enforcement of all or any part of this Agreement in the hands of an attorney, or if that party incurs any fees or out-of-pocket costs in any litigation, negotiation or transaction, the party that substantially prevails in any such dispute shall be reimbursed for its actual attorneys' fees and costs incurred thereby, whether or not litigation is actually commenced. Any sums not paid when due, including without limitation any maintenance fee, shall, in addition to all other amounts owed under this Agreement or applicable law, accrue interest from the due date until paid at eighteen percent (18%) per annum.

c. CCTV Video Release Statement. The Village agrees that neither digital video recorded by the DSIS, nor any portions thereof, will be released to the news media or any third-party, except as a part of the criminal justice system, to employees of the Village, and as otherwise required by applicable law, without prior investigation and proper due diligence conducted by the Village or its employees or contractors. The Owner is not responsible for conducting any investigation involving such digital video or of the matter which constitutes the substance of the criminal investigation. The terms of this paragraph shall apply to all digital video recorded by the DSIS and obtained or used by any employee or agent of the Village.

d. Entire Agreement. This Agreement contains the entire understanding among the parties and supersedes any prior understanding and agreements between them respecting the within subject matter. There are no representations, agreements, arrangements or understandings, oral or written, between or among the parties hereto relating to the subject matter of this Agreement which are not fully expressed herein.

e. Severability. This Agreement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules and regulations. If any provision of this Agreement, or the application thereof to any party or circumstance, shall, for any reason and to any extent, be invalid or unenforceable, the remainder of this Agreement and the application of such provision to the other party or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

f. Binding Agreement. This Agreement shall be binding on the parties and their successors and assigns and shall continue as a covenant and servitude running in perpetuity with the Owner's Property. This Agreement may be

recorded with the Kenosha County Register of Deed's Office against the Owner's Property.

g. Notices. Any notice which a party is required or may desire to give the other party shall be in writing and may be delivered (1) personally by United States registered or certified mail, postage prepaid, or (2) by Federal Express or other reputable courier service regularly providing evidence of delivery (with charges paid by the party sending the notice). Any such notice shall be addressed as follows (subject to the right of a party to designate a different address for itself by notice similarly given):

If to the Owner: Kwik Trip, Inc.  
1626 Oak Street  
P.O. Box 1597  
La Crosse, WI 54602-1597  
Attn: \_\_\_\_\_

If to the Village: Village of Pleasant Prairie  
9915 - 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158  
Attn: Michael R. Pollocoff, Village Administrator

And to the Village: Village of Pleasant Prairie  
Community Development Department  
9915 - 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158  
Attn: Jean M. Werbie-Harris, Community Development Director

And to the Village: Village of Pleasant Prairie - Police Department  
8600 Green Bay Road  
Pleasant Prairie, WI 53158  
Attn: David Smetana, Police Chief

h. Amendment. This Agreement may not be amended, altered or modified except by an instrument in writing and signed by the parties hereto.

i. Ordinance. The DSIS program under this Agreement shall be deemed to be sufficient to meet the current requirements set forth in the Chapter 420-145, Village Zoning Ordinance Conditional Use Permit provisions and Chapter 410, Village Security Ordinance provisions of the Village Municipal Code.

j. Village's Contractors and Work. Any contractor that may come onto any Owner's Property on behalf of the Village shall carry a non-deductible (a) commercial general liability insurance policy, including (but not limited to) contractor's liability coverage, contractual liability coverage, completed operations coverage, broad form property damage endorsement and contractor's protective liability coverage, to afford protection, with respect to personal injury, death or property damage of not less than One Million Dollars (\$1,000,000) per occurrence





**VILLAGE OF PLEASANT PRAIRIE,  
WISCONSIN**

By: \_\_\_\_\_  
Name: John P. Steinbrink  
Title: Village President

**ATTEST:**

By: \_\_\_\_\_  
Name: Jane M. Romanowski  
Title: Village Clerk

STATE OF WISCONSIN    )  
  ) SS.  
COUNTY OF KENOSHA    )

This instrument was acknowledged before me in Pleasant Prairie, WI on this \_\_\_\_ day of \_\_\_\_\_, 2014, by John P. Steinbrink and Jane M. Romanowski, as the duly authorized President and Clerk, respectively, of the VILLAGE OF PLEASANT PRAIRIE, WISCONSIN, a Wisconsin municipal corporation.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission expires: \_\_\_\_\_

This instrument drafted by:

Atty. Timothy J. Geraghty  
Godin Geraghty Puntillo Camilli, S.C.  
6301 Green Bay Road  
Kenosha, WI 53142

And

Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 - 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**EXHIBIT A**  
**TO AGREEMENT REGARDING DSIS SECURITY SYSTEM**

**COPY OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

**[Attached hereto]**

**EXHIBIT B**

**TO AGREEMENT REGARDING DSIS SECURITY SYSTEM**

**COPY OF VILLAGE CONDITIONAL USE PERMIT #14-\_\_**

**[Attached hereto]**

**EXHIBIT C**

**TO AGREEMENT REGARDING DSIS SECURITY SYSTEM**

**DSIS PLAN, HARDWARE DETAILS AND NARRATIVE**

**[Attached hereto]**

**EXHIBIT D**

**TO AGREEMENT REGARDING DSIS SECURITY SYSTEM**

**COPY OF ACCESS EASEMENT**

**[Attached hereto]**

**EXHIBIT E**

**TO AGREEMENT REGARDING DSIS SECURITY SYSTEM**

**COPY OF CCTV VIDEO RELEASE**

**[Attached hereto]**

**ACCESS EASEMENT**

**THIS ACCESS EASEMENT** is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2014 by and between the Grantor, KWIK TRIP, INC., a Wisconsin corporation (the "Landowner") and the Grantee, the VILLAGE OF PLEASANT PRAIRIE (the "Easement Holder").

**RECITALS**

A. The Landowner is the owner of certain real estate in the Village of Pleasant Prairie, Kenosha County, Wisconsin, which is legally described in **Exhibit A** and incorporated herein by reference (collectively the "Landowner's Property").

B. The Easement Holder has entered into a Security Agreement with the Landowner for the right but not the obligation for the installation and maintenance of an exterior Digital Security Imaging System ("DSIS") upon Landowner's Property for security surveillance purposes (the "Agreement").

C. In connection with the above-referenced Agreement, the Landowner has agreed to convey to the Easement Holder access and maintenance rights to all such systems, devices and areas associated with the DSIS.

D. The Easement Holder acknowledges and agrees that the Landowner will utilize the Landowner's Property for a gas station/fueling facility, convenience store and car wash facility known as the Kwik Trip Convenience Store #230 ("Kwik Trip #230"), and the Easement Holder shall not unreasonably interfere with said use and operation of the Landowner's Property by the Landowner.

Recording Area

Name and Return Address:

Jean M. Werbie-Harris  
Community Development Dept.  
Village of Pleasant Prairie  
Municipal Building  
9915 - 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

Parcel Identification Number:

92-4-122-281-\_\_\_\_\_

**GRANT OF ACCESS EASEMENT**

In consideration of the facts recited above, the Landowner and Easement Holder agree as follows:

**1. Grant of Easement.** The Landowner hereby grants and conveys to the Easement Holder, its contractors and agents, a perpetual, non-exclusive, rent-free, access and maintenance easement (the "Access Easement") over and through the exterior of the improvements located on that portion of the Landowner's Property required for the installation, maintenance and use of said DSIS, related electrical work and internet access, and if applicable to a secured area generally located as described in the DSIS Security Agreement, which location may be relocated by mutual agreement of the parties (the "Easement Property"). All utility lines shall be

underground to the extent possible. The Landowner shall supply electricity, heat and internet connection services for the DSIS as provided in the Agreement.

**2. Use of Access Easement.** The purpose of the Access Easement is to provide for the installation, operation and maintenance of a DSIS in accordance with a Security Agreement between the parties and other property owners dated on or about \_\_\_\_\_, 2014 (the "Agreement"), the terms and conditions of which are hereby incorporated in this Access Easement. Nothing in this Access Easement is intended to prohibit use of the Access Easement area by the Landowner, provided such use does not materially interfere with the use of the Access Easement by the Easement Holder. The Easement Holder agrees that it will not materially interfere with the normal operation and use of the Landowner's Property by the Landowner and its occupants, and that its equipment shall not impair the visibility of the Kwik Trip #230 facility, site, convenience store front or signage.

**3. Improvements.** The Easement Holder shall have the right, but not the obligation, to construct and install reasonable improvements upon the Easement Property in accordance with the terms in the Agreement, to make the Easement Property suitable for the installation of a DSIS with as little damage to the Landowner's Property as possible. Subject to the terms of the Agreement, if the Easement Holder undertakes the installation or maintenance of the DSIS, the Easement Holder agrees to use its best efforts to make the DSIS as aesthetically tasteful and architecturally harmonious as reasonably possible while still allowing the DSIS to cover as much of the Kwik Trip #230 site as the Easement Holder deems reasonably necessary.

**4. Maintenance.** The Easement Holder shall have access at all times as it deems necessary for maintaining its DSIS and related equipment on the Easement Property to the extent necessary for the uses described in the Agreement. The Landowner shall pay the Easement Holder a maintenance fee and other fees as described in the Agreement if the Easement Holder undertakes inspections or takes over the responsibilities of the DSIS maintenance, provided however, that such fees shall be reasonable and directly attributable to Landowner. The Easement Holder shall provide to Landowner an itemized invoice for Landowner's review and approval.

**5. Damage to Easement Property.** The Easement Holder shall be responsible for any damage that it may cause to the Easement Property. The Easement Holder shall promptly make all needed repairs, promptly after such damage, restoring the Easement Property to its condition prior to the damage. The Landowner shall promptly make any needed repairs to the Landowner's Property and the DSIS equipment that the Landowner may damage.

**6. Obstructions to Use of the Easement Property.** The Easement Holder may not utilize the Easement Property in a way that materially interferes with its use by any other person permitted to use it. The Easement Holder acknowledges and agrees that the Landowner's and its future owners or tenants' use of the Landowner's Property may include if permitted by the Village, outdoor events that may occur on the Landowner's Property, which such uses may be allowed, and shall not be considered an obstruction or impediment to the Access Easement. Furthermore, the Easement Holder acknowledges and agrees that the Landowner has the right to modify and



construct new improvements on the Landowner's Property, albeit with the necessary permits, and if said improvements interfere with use of the Access Easement by the Easement Holder, then the Landowner shall bear all costs and responsibility to relocate the DSIS equipment or modify its use of the Easement Property.

**7. Indemnity/Insurance/Liens.** All costs of installation, operation, and maintenance of the Easement Property and any improvements the Landowner installs thereon will be the responsibility of the Landowner as described in the Agreement, provided however, that such costs shall be reasonable and directly attributable to Landowner. The Easement Holder shall provide to Landowner an itemized invoice for Landowner's review and approval.

Any contractor coming onto the Easement Property and/or the Landowner's Property on behalf of the Easement Holder shall carry a non-deductible (a) commercial general liability insurance policy, including (but not limited to) contractor's liability coverage, contractual liability coverage, completed operations coverage, broad form property damage endorsement and contractor's protective liability coverage, to afford protection, with respect to personal injury, death or property damage of not less than One Million Dollars (1,000,000) per occurrence combined single limit/ One Million Dollars (\$1,000,000) general aggregate (but not less than \$500,000 per location aggregate); (b) comprehensive automobile liability insurance policy with a combined single limit for each occurrence of not less than Three Hundred Thousand Dollars (\$300,000) with respect to personal injury or death and property damage; and (c) worker's compensation insurance policy or similar insurance in form and amounts required by law. The Easement Holder shall carry similar amounts and types of insurance when it enters onto the Easement Property and/or the Landowner's Property, provided, such insurance may be provided through the municipal insurance plan of Easement Holder. In connection with any installation, operation, maintenance or inspection of the Easement Property by the Easement Holder or its agents, employees or contractors, the Easement Holder shall indemnify, defend and hold harmless the Landowner from and against any lien, suit, loss, cost, expense (including reasonable attorneys' fees), personal injury, bodily injury or property damage arising from or relating to such activities of the Easement Holder, its agents, contractors or engineers on the Landowner's Property.

Nothing contained herein shall alter or eliminate any obligations of the Landowner to reimburse the Easement Holder for costs and expenses, as provided in the DSIS.

**8. Enforcement of Agreement.** The Landowner and Easement Holder shall have the right to legally enforce this Access Easement and the covenants, conditions and restrictions set forth herein, by whatever action or actions are legally available, including, without limitation, enjoining any violation or threatened violation hereof.

**9. Amendments.** This Access Easement may not be modified, amended or terminated except by execution and recording of a written instrument signed by both the Landowner and Easement Holder.

**10. Successors.** All of the terms, covenants, conditions, and obligations set forth in this Access Easement and the Agreement shall inure to the benefit of and bind

the Landowner and Easement Holder, and their respective personal representatives, heirs, successors, transferees, assigns, and all future owners of the Landowner's property this Access Easement and the Agreement shall continue as a servitude running in perpetuity with the Landowner's Property.

**11. CCTV Video Release.** The Village agrees not to release any digital video recorded by the DSIS, nor any portions thereof, to the news media without providing prior notice to one of the Owner contacts listed below, including the date, time, and information regarding the incident which the video pertains to.

Loss Prevention Department (during regular business hours)  
Nicole Lepsch: 608-793-6176 or nlepsch@kwiktrip.com  
Tracy Molzhon: 608-793-5538 or tmolzhon@kwiktrip.com  
Brett Gooden: 608-793-6190 or bgooden@kwiktrip.com  
Communication Center (after hours)  
608-793-6267

The Easement Holder agrees that neither digital video recorded by the DSIS, nor any portions thereof, will be released to the news media or any third-party, except as a part of the criminal justice system, to employees of the Easement Holder, and as otherwise required by applicable law, without prior investigation and proper due diligence conducted by the Easement Holder or its employees or contractors. The Landowner is not responsible for conducting any investigation involving such digital video or of the matter which constitutes the substance of the criminal investigation. The terms of this paragraph shall apply to all digital video recorded by the DSIS and obtained or used by any employee or agent of the Easement Holder.

**12. Severability.** If any provision or specific application of this Access Easement is found to be invalid by a court of competent jurisdiction, the remaining provisions or specific applications of this Access Easement shall remain valid and binding.

**13. Governing Law.** This Access Easement shall be governed by and construed under the laws of the State of Wisconsin. The parties agree that any dispute hereunder shall be venued only in the Circuit Court for Kenosha County.

**14. Attorneys' Fees and Interest.** If either party defaults in the performance or observation of any of the terms, conditions, covenants or obligations contained in this Access Easement and the complaining party places the enforcement of all or any part of this Access Easement in the hands of an attorney, or if that party incurs any fees or out-of-pocket costs in any litigation, negotiation or transaction, the party that substantially prevails in any such dispute shall be reimbursed for its actual attorneys' fees and costs whether or not litigation is actually commenced. Any sums not paid when due, including without limitation any maintenance fee, shall accrue interest from the due date until paid at eighteen percent (18%) per annum.

*[Signature pages to follow]*

**IN WITNESS WHEREOF**, KWIK TRIP, INC. has executed this Access Easement this \_\_\_\_ day of \_\_\_\_\_, 2014.

**KWIK TRIP, INC.**

STATE OF \_\_\_\_\_ )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

This instrument was acknowledged before me in \_\_\_\_\_, on this \_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, (name) as the duly authorized \_\_\_\_\_ (title) of KWIK TRIP, INC.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

**VILLAGE OF PLEASANT PRAIRIE,  
WISCONSIN**

By: \_\_\_\_\_  
Name: John P. Steinbrink  
Title: Village President

**ATTEST:**

By: \_\_\_\_\_  
Name: Jane M. Romanowski  
Title: Village Clerk

STATE OF WISCONSIN )  
 ) SS.  
COUNTY OF KENOSHA )

This instrument was acknowledged before me in Pleasant Prairie, WI on this \_\_\_\_ day of \_\_\_\_\_, 2014, by John P. Steinbrink and Jane M. Romanowski, as the duly authorized President and Clerk, respectively, of the VILLAGE OF PLEASANT PRAIRIE, WISCONSIN, a Wisconsin municipal corporation.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission expires: \_\_\_\_\_



**EXHIBIT A**

**Legal Description of Landowner's Property**

**LOT 1 OF CERTIFIED SURVEY MAP # \_\_\_\_\_ RECORDED AS DOCUMENT # \_\_\_\_\_ AT THE KENOSHA COUNTY REGISTER OF DEEDS OFFICE AND FURTHER IDENTIFIED AS PART OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF U.S. PUBLIC LAND SURVEY SECTION 28, TOWNSHIP 1 NORTH, RANGE 22 EAST OF THE FOURTH PRINCIPAL MERIDIAN IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WI. THE SITE CONTAINS APPROXIMATELY 2.3739 ACRES MORE OR LESS.**

- G. **PUBLIC HEARING AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #13-03 AS AMENDED JANUARY 13, 2014** for the request of Attorney J. Michael McTernan agent for VIDHYA Corp, VIII, Inc., the property owners, to remove condition #54 and allow the BP Amoco gasoline station and convenience store located at 10477 120<sup>th</sup> Avenue to remain open after June 10, 2014 since the property's groundwater treatment system is fully operational and is in compliance with the Settlement Agreement.

**Recommendation:**

Village staff recommends that the Plan Commission **conditionally approve** the amended **Conditional Use Permit** subject to the comments and conditions of the Village staff report of June 9, 2014.

## VILLAGE STAFF REPORT OF JUNE 9, 2014

**CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #13-03 AS AMENDED JANUARY 13, 2014** for the request of Attorney J. Michael McTernan agent for VIDHYA Corp, VIII, Inc., the property owners, to remove condition #54 and allow the BP Amoco gasoline station and convenience store located at 10477 120<sup>th</sup> Avenue to remain open after June 10, 2014 since the property's groundwater treatment system is fully operational and is in compliance with the Settlement Agreement.

### **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 as presented and described below:*

### **FINDINGS OF FACT**

1. The petitioner is requesting a 2nd Amendment to Conditional Use Permit #13-03 to allow the BP Amoco gasoline and convenience store located at 10477 120th Avenue to remain open past June 10, 2014. (**Exhibit 1**)
2. The subject property is known as Lot 14 of CSM 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.
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.
4. Previous Approvals
  - a. On November 19, 2012 the Plan Commission approved a Conditional Use Permit #12-10 (**Exhibit 2**) including site and operational plans to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site. This approval was subject to compliance with the Settlement Agreement approved by the Village Board on November 29, 2012 and 53 additional conditions. The Conditional Use Permit was valid until May 1, 2013. (A full copy of the Settlement Agreement is on file with the Village.)
  - b. On May 28, 2013 the Plan Commission approved Conditional Use Permit #13-03 (**Exhibit 3**) to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site. This approval was subject to compliance with the Settlement Agreement approved by the Village Board on November 29, 2012, the 1<sup>st</sup> Amendment to the Settlement Agreement approved by the Village Board on April 1, 2013 and 53 additional conditions. The Conditional Use Permit was valid until June 10, 2014. (A full copy of the Settlement Agreement and 1<sup>st</sup> Amendment to the Settlement Agreement is on file with the Village.)
  - c. On January 13, 2014 the Plan Commission approved the 1<sup>st</sup> Amendment to Conditional Use Permit 13-03 (**Exhibit 4**) to allow BP Amoco to continue to operate the gasoline station and convenience store with the approval of Settlement Agreement Amendment #2 which addresses the request for modified analytical test parameters, discharge water standards and reporting requirements of the carbon treatment system that will treat existing

contaminated ground water from several reported hazard substance releases at the site located at 10477 120<sup>th</sup> Avenue. . This approval was subject to compliance with the Settlement Agreement approved by the Village Board on November 29, 2012 and the 1<sup>st</sup> Amendment to the Settlement Agreement approved by the Village Board on April 1, 2013, the 2<sup>nd</sup> Amendment to the Settlement Agreement approved by the Village Board on February 3, 2014 and 53 additional conditions. The Conditional Use Permit was valid until June 10, 2014. (A full copy of the Settlement Agreement and 1<sup>st</sup> Amendment to the Settlement Agreement is on file with the Village.)

*[Note: The findings of facts and the public hearing records of the above noted approvals are hereby included as part of this record and are available for viewing at the Village Hall.]*

5. Pursuant to the Village Engineer the Owners are currently in compliance with the Settlement Agreement and its amendments referenced above. Continued monitoring is being done by the Village to ensure continued compliance is being maintained.
6. The Village staff is recommending approval of the 2<sup>nd</sup> Amendment to Conditional Use Permit #13-03 subject to all of 53 conditions with a condition #54 to be modified to read:
  - 54. This Conditional Use Permit is valid until June 10, 2015. In order for this facility to continue to operate after June 10, 2015, an application for an extension to this conditional use permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 10, 2015.**
7. The petitioner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on May 22, 2014 of this hearing. Public hearing notices were also published in the Kenosha News on May 26, 2014 and June 2, 2014.
8. The petitioner was mailed a copy and the property owner was emailed a copy of this memorandum on June 4, 2014.
9. According to the Article XVIII of 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 all Village Ordinance and meets the minimum standards for granting of a Conditional Use Permit. Furthermore, the Plan Commission shall not approve any site and operational plan application without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements and all other applicable federal, State or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, noise, storm water management, streets and highways and fire protection.



**Village Staff Conclusions and Recommendation: (to be read out loud)**

***The Village staff has determined that based upon the foregoing information presented in the application and related materials provided, adherence to the Settlement Agreement and Amendments # 1 and #2, and the public hearing this evening, that the proposed use meets the following standards for granting a Conditional Use Permit in that:***

- a. The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;
- b. The project does not impair an adequate supply of light and air to the adjacent properties;
- c. The project does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire and Rescue Department;
- d. The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- e. There is no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed project; and
- f. The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining Zoning Districts and/or neighborhood.

**Based on the foregoing information and the comments received during the public hearing, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for the granting of a Conditional Use Permit, as specified above, then approval of the 2<sup>nd</sup> Amendment to Conditional Use Permit #13-03 shall be approved subject to the following conditions:**

1. Subject to compliance with Conditional Use Permit #13-03 as amended on January 13, 2014 with the following change to condition #54:  
**54. This Conditional Use Permit is valid until June 10, 2015. In order for this facility to continue to operate after June 10, 2015, an application for an extension to this conditional use permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 10, 2015.**
2. The owner shall execute the 2<sup>nd</sup> Amendment Conditional Use Permit #13-03 document as prepared by the Village and pay the required recording and filing fee. The Village will then execute the document and record the document at the Kenosha County Register of Deeds Office.



VILLAGE OF PLEASANT PRAIRIE  
 SITE AND OPERATIONAL PLAN  
 AND CONDITIONAL USE PERMIT ZONING APPLICATION

**USE THIS FORM FOR:**  
 Tenants/Use changes proposing to occupy 50% or more of an existing commercial/industrial building.  
 To construct a new or addition to principal or accessory structure.  
 Use requires a Conditional Use Permit.

FOR OFFICE USE ONLY	
Application Filed on	<u>5/9</u> 20 <u>14</u>
Preliminary Determination of Completeness on:	<u>5/9</u> 20 <u>14</u>
Revised Plans Submitted:	20 _____
Public Hearing Required: Hearing Date:	<u>6/9</u> 20 <u>14</u>
Published on: <u>5/26</u> and <u>6/2</u> 20 <u>14</u>	Notices sent on: <u>5/22</u> 20 <u>14</u>
Approved by Plan Commission on	20 _____
Zoning Administrator on	20 _____
Denied by Plan Commission on	20 _____
Zoning Administrator on	20 _____

**SECTION 1: GENERAL INFORMATION**

NAME OF BUSINESS: VIDHYA Corp., VIII, Inc. d/b/a BF Gas & Convenience Store

SITE ADDRESS: 10477 - 120th Avenue, Pleasant Prairie, WI 53158

BRIEF PROJECT DESCRIPTION: Continuation of the operations of the existing facilities with a request to modify the terms of the Site & Operational Plans.

PROPOSED NUMBER OF FULL TIME EMPLOYEES: Four

PROPOSED NUMBER OF PART-TIME EMPLOYEES: Three

SITE SIZE: 59,241 sq. ft. 1.36 acres

PROPOSED BUILDING SIZE: n/a sq.ft. HEIGHT: \_\_\_\_\_ ft.

PROPOSED ADDITION SIZE: n/a sq.ft. HEIGHT: \_\_\_\_\_ ft.

LEGAL DESCRIPTION: Part of the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 1 North, Range 22 East, Lot 14 of Certified Survey Map Number 1489 in Volume 1456, Page 153.

TAX PARCEL NUMBER(S): 92-4-122-302-0130

CURRENT ZONING CLASSIFICATION(S) OF THE PROPERTY: PUD

1. Is a zoning map amendment proposed with this project?  Yes  No

▪ If yes, proposed Zoning Classification(s): \_\_\_\_\_

2. Is a zoning text amendment proposed with this project?  Yes  No

▪ If yes, provide a copy of the proposed text amendment with this application

3. If property is zoned M-1 or M-2, indicate the Occupancy Type pursuant to the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC). Include all that apply and associated square footage for each classification:

- Factory Group F-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Factory Group F-2 (Low-hazard) \_\_\_\_\_ sq ft
- Storage Group S-1 (Moderate-hazard) \_\_\_\_\_ sq ft
- Storage Group S-2 (Low-hazard) \_\_\_\_\_ sq ft
- Business Group B \_\_\_\_\_ sq ft
- High-Hazard Group H\* \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft
- Other \_\_\_\_\_ sq ft

*\*If Use and Occupancy Classification is High-Hazard Group H please provide a detailed written narrative that explains the specific use, quantity of storage and handling of the high hazard materials along with appropriate MSSD sheets with this application.*

**PUBLIC SERVICES:**

1. Is the property serviced by Public Sanitary Sewer?  YES  NO
  - If no, the closest public sewer is located at \_\_\_\_\_
2. Is the property serviced by Public Water?  YES  NO
  - If no, the closest public water is located at \_\_\_\_\_
3. Maximum number of gallons/minute of water expected to be used per day is: Unchanged

**THIS APPLICATION IS FOR A: (check one)**

- Preliminary Site and Operational Plan: An applicant may apply for preliminary site and operational plan approval in connection with an erosion control permit application for early mass grading, or in connection with an early foundation permit, or for other good cause shown
- New Site and Operational Plan
- Amendment to an existing Site and Operational Plan
  - Date of initial site and operational plan approval: July 2, 2001
  - Date of each approved amendment: May 28, 2013 and January 13, 2014

**SECTION 2: EXISTING USES AND BUILDINGS ON THE SITE**

Are there any existing buildings on the site?  YES  NO

- If yes, provide an attachment that explains the current uses on the property and current uses in each building and if the use(s) is proposed to continue; and the gross floor area and height of each building.
- If no, what is the current use of the property? \_\_\_\_\_

### SECTION 3: PHOTOGRAPHS

Standard-sized photographs (not Polaroid) showing all aspects of the site (e.g. locations of proposed improvements, bodies of navigable water, wetlands, wooded areas, etc.) and of the exterior of structures or other site improvements, together with a statement regarding each photograph, which includes the date the photograph was taken, the location from which it was taken, the direction in which the camera was pointed, and a description of what is shown in the photograph. With respect to all existing signs, the applicant shall file photographs of all existing signs and shall specify in the written statement accompanying each such photograph and show the dimensions of such sign. Digital images are acceptable.

### SECTION 4: CONDITIONAL USE

1. Does the proposed project require a Conditional Use Permit?  YES  NO
  - If no then skip to Section 5.
  - If yes, then continue with this Section.
2. Are you amending an existing Conditional Use Permit?  YES  NO
  - If yes, provide a copy of the Conditional Use Grant Document you are proposing to amend.
  - If no, continue with this Section.
3. If you answered YES to either question 1 or 2 above then this application shall include information as to how the proposed project will not impair an adequate supply of light and air to adjacent properties; increase danger of fire; cause traffic congestion or traffic circulation problems; create storm water flooding or drainage; create obnoxious odors, problems or otherwise endanger the public health, safety or welfare; will not hinder, harm or distract the provision of public services; and that the proposed project is not inherently inconsistent with either the district in which it is located or adjoining districts or neighborhoods as required pursuant to the Village Zoning Ordinance.

### SECTION 5: NON-CONFORMING USE

1. Is any use on the site a nonconforming use?  YES  NO
  - If no, then skip to Section 7.
  - If yes, then continue with this section.
2. If you answered YES to question 1 above, prima facie proof of each element of legal nonconforming use status shall be submitted to the Village with this application (i.e. that the nonconforming use was legal in its inception, that the use was active and actual and not merely casual, occasional, incidental or accessory when it became nonconforming, that the use has been continuous with no gap of 12 or more consecutive months since it became nonconforming, that no building or structure housing the nonconforming use has been structurally repaired or altered to the extent of fifty (50) percent or more of its assessed value since the use became nonconforming, and that the use has not been changed in nature or physically extended or expanded since becoming nonconforming).

## SECTION 6: PERFORMANCE STANDARDS

Pursuant to the Village Zoning Ordinance, any application for a permit under this ordinance or any use subject to the regulations and standards set forth in the Village Zoning Ordinance shall be accompanied by a sworn statement by the owner of the subject property that said property and use will be operated in accordance with the performance standards set forth in Section 420-38 of the Village Ordinance. Continued compliance with the regulations and standards is required. Violations of such standards shall be remedied as required by the Village Zoning Ordinance.

No land or building in any district shall be operated in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, dirt or other form of air pollution; water pollution; electrical, radioactive or other disturbances; glare; or other substance, condition or element (referred to herein as "dangerous or objectionable elements") in such amount as to adversely affect the surrounding area or premises; provided that any use permitted by this ordinance may be undertaken and maintained if it conforms to the regulations of this subsection limiting dangerous and objectionable elements at the specified point or points of the determination of their existence.

The Village may require additional information be submitted to ensure that the Village Performance Standards are being met.

## SECTION 7: PLAN COMPONENTS

The application shall include a list of all documents, materials or information that are attached to and a part of the application form. Submit eight (8) full-sized and one (1) set reduced to 11" x 17" of all plans and other attachments shall be included as part of this application, except if a component has been waived or deferred in writing by the Village Zoning Administrator. For specific details related to each of the required information and plans see the attachment entitled "*Plan Components and Related Standards*" in Section 420-57 of the Village Zoning Ordinance.

- Application—Applicant, Site, Use, Project and Plan Information
- Application fee
- Operational plan
- Title sheet
- Survey
- Site plan
- Grading and drainage plan
- Building and fire protection plans
- Lighting plan
- Landscape and open space plan
- Signage plan
- Industrial/commercial waste survey
- Performance standards compliance
- Additional requirements, as determined by the Village Zoning Administrator, other appropriate Village staff members, or the Village Plan Commission, as appropriate.

Two or more plans may be combined, provided that all of the information submitted on the combined plan is clearly legible, but in no case shall the combined plans fail to show any of the information required for each individual plan as described below, unless such information is waived or deferred pursuant to the Zoning Ordinance.

SECTION 8: SIGNATURES

I,(We), hereby certify that all the above statements and all attachments submitted herewith are true and correct to the best of my knowledge. In addition I, (we) understand the requirements and procedures for Site and Operational Plan/Conditional Use Permit approval.

PROPERTY OWNER:

APPLICANT:

Name: VIDHYA Corp VIII, Corp.  
(Please Print)

Name: Same as Owner  
(Please Print)

Signature: *Dixit Patel*

Signature: *Dixit Patel*

Address: 1491 W. Roosevelt Road

Address: Same as Owner

West Chicago IL 60185  
(City) (State) (Zip)

Same as Owner  
(City) (State) (Zip)

Phone: 630.479.1529

Phone: Same as Owner

Fax: 630.562.3349

Fax: Same as Owner

E-mail: ddwcl@sbglobal.net

E-mail: Same as Owner

Date: April 14, 2014

Date: April 14, 2014

Is the applicant the owner of the property?  YES  NO

If no, then either proof of the applicant's legal interest in the subject real property (e.g. accepted offer to purchase, lease, etc., which may be appropriately redacted to preserve confidential information) or written authorization signed by the owner for the applicant to act as the owner's agent in connection with the application shall be included with the application.

DEVELOPER (if Applicable)

USER OR OCCUPANT OF SITE:

Name: N/A  
(Please Print)

Name: Same as Owner  
(Please Print)

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

(City) (State) (Zip)

(City) (State) (Zip)

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

E-mail: \_\_\_\_\_

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

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

## SITE AND OPERATIONAL PLAN

BP Amoco Gas Station and Convenience Store located at 10477 – 120<sup>th</sup> Avenue is a self-service gasoline and diesel station, selling petroleum products to consumers of passenger vehicles and light trucks. It does not service or sell petroleum products to over-the-road trucks, cabs or other specialized commercial or construction vehicles. In addition, BP operates a convenience store that provides various grocery store and automobile supplies and accessories, along with a quick service restaurant, bakery, self-service coffee bar and soda fountain, and an e-commerce area for computerized assistance with weather and traffic information. The quick service restaurant provides seating for approximately 12 people and quick food selections of bakery items, sandwiches, soups and salads. The facility also provides separate men's and women's washrooms, and various other related convenience service amenities, including but not limited to, vacuum cleaners and compressed air for automobile maintenance, automated teller machine, along with the sale of alcohol and tobacco products as authorized by its license.

Due to several reported hazardous substance releases at the BP gas station dating back to 1993, the owner's consultants have developed and installed a carbon treatment system on the Property that has already successfully treated more than 250,000 gallons of contaminated ground water. This system has been installed in an enclosed and heated facility, located adjacent to the southern end of the existing gas station. This building addition was constructed in order to house the filters and pumps that are necessary to operate the operational carbon treatment system. Recently, the system was expanded to include the installation of a lead filters that were installed in order to clean the water of lead before it is discharged into the ditch. The building additional and all required improvements requested by the Village have been completed. The carbon treatment system is detailed in the Settlement Agreement entered into between the property owner and the Village, and the property owner has been obtained all applicable permits necessary for all of the applicable improvements noted herein.

In addition, the owner is in the process of completing supplemental site investigation in order to perform additional site remediation, including the hydro excavation of the ditch north of the site.

The expansion of the building measures approximately 375 square feet (25 feet 7 inches by 14 feet 7 inches) and closely "squares" the building foot print, leaving the southern emergency exit in place. The same exterior building materials (brick and trim) were used in order to match the expansion to the existing building.

The carbon treatment system will not create any disturbance to the surrounding property owners as it is housed in an enclosed and insulated expansion of the building. Even though more than 250,000 gallons of water have been treated to date, it is anticipated that the system will operate off and on for several years, dependent on the rise of ground water due to changes in the weather.

This system will not require any additional staff to manage and operate, as it will be automated and will only occasionally require the replacement of carbon filters that will be disposed of using sealed

drums provided and retrieved by qualified environmental disposal companies, along with the occasional replacement of the lead filtering bags .

Moreover, the system will not alter existing operations of the gasoline station and convenience store, as those operations will continue as normal.

As currently exists, BP is currently open for business between the hours of 6am through 11pm, seven days a week, but maintains expanded hours (up to 24 hours a day) during the various peak holiday seasons. During those expanded times, additional staff is maintained in order to service the increase in customers. Deliveries and shipments occur during those times that BP is open to the public. Currently, there are seven full time and three part time employees, but additional seasonal help is retained during those peak holiday seasons. Currently, there are only two shifts of employees, but a third shift is added when the hours are expanded. There are currently 21 parking spaces on the site due the expansion of the building, two parking spaces were removed, leaving a total of 21 parking spaces (one handicapped access parking space, and twenty conventional parking spaces).

It is anticipated that traffic volumes of 500 to 1,000 daily trips will continue, and no truck trips other than deliveries of goods to the BP. The main products being sold at the BP include, but are not limited to: gasoline and diesel fuels, related automobile supplies and parts, along with food and beverages, all of which are currently being sold at the BP, which will continue after the expansion. Aside from the installation of the carbon treatment system, all of the existing equipment will continue to be utilized in the operation of the BP (petroleum delivery systems, coolers, ovens, and related food preparation equipment).

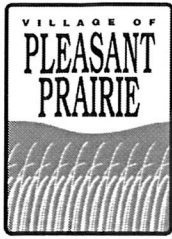
Aside from the disposal of the carbon and lead filters, the BP only has normal household cleaners used in the maintenance of the business in order to clean the food preparation and service areas, floors and bathrooms. The only waste that is disposed of at the BP is spoiled food and drink products, grey water waste and sanitary waste from the bathrooms.

The owners have installed and maintained a fully functioning and operational security camera system and recently upgraded hold-up alarm system. This systems were upgraded, pursuant to terms and conditions approved by the Village. Technicians made those modifications to the system in order to comply with the current Village ordinances.

Moreover, the owners retain landscapers to regularly maintain, replace and upgrade the landscaping that surrounds the property, including the removal of all snow and ice from the parking lots, driveways and sidewalks. In addition, employees walk the property on a regular basis to pick up debris, empty garbage cans, restock self-service washer fluids and paper towels, and to monitor the entire property in order to maintain it in a first class condition.

The owner maintains all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies.





**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE GRANT NO. 12-10**

Before the Village of Pleasant Prairie Plan Commission, Kenosha County, Wisconsin, in regard to the property located at 10477 120<sup>th</sup> Avenue.



DOCUMENT  
1693391

RECORDED  
At Kenosha County, Kenosha WI 53140  
JoEllyn N. Storz, Register of Deeds  
January 25, 2013 2:26 PM  
\$30.00  
Pages 8

**Return to:**

Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**Tax Parcel Number:**

92-4-122-302-0130 8

**Legal Description:** Lot 14 of CSM 1489 (Document #872365) located in the Northwest One Quarter of U.S. Land Survey Section 30, Township 1 North, Range 22 East in the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, Kenosha County Wisconsin.

**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provides that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

**WHEREAS**, such petition having been made to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site and public hearing held thereon, and the Village Plan Commission having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, that the grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing, and in particular the memorandum from the Village Fire & Rescue Department, the project meets the following standards for granting a Conditional Use Permit in that the project/use:

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire --in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department.
- The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.

- There are no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use.
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining zoning districts and land uses.

**NOW THEREFORE**, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site.

1. Compliance with PUD Ordinance #12-40, including the Digital Security Imaging System Agreement on file with the Village.
2. Compliance with the terms and conditions of the executed Settlement Agreement approved by the Village Board on November 19, 2012 on file with the Village.
3. Compliance with the Site and Operational Plans as conditionally approved by the Village Plan Commission on November 19, 2012 on file with the Village.
4. Compliance with the Preliminary Site Investigation Work Plan dated November 14, 2012. The Remedial Action Plan and Remedial Design Report shall be compliant with NR 700 shall be submitted to the Village.
5. Compliance with the WI DNR WPDES Permit issued on November 2, 2012.
6. Compliance with the Wisconsin Department of Transportation Work in the Right-of-Way Permit dated November 26, 2012.
7. All hard surfaced areas including the parking lot areas, drive lanes, paved areas adjacent to the pumps, sidewalks, etc. shall be clean, neat and free from pot holes or other cracks which present a safety risk to the pedestrians or traveling public. The hard surface areas of the site shall be maintained and free of any debris or potholes which may cause distractions or damages to vehicles. All pavement markings shall be done in yellow or white reflective paint.
8. The gas station and convenience store shall operate in an organized, well-kept, clean, neat and professional manner. The inside of the store shall be maintained, painted, and clean for the public. Damaged or dirty walls, floors, coolers, bathrooms, racking, displays lighting, etc. shall be taken care of or repaired promptly. Malfunctioning gas pumps shall be repaired as soon as possible.
9. A Kenosha County Health Department permit and regular inspections will be conducted on the premises. Violations may result in the suspension or revocation of the Health Permit and the Conditional Use Permit.
10. The hours of operation (when the public is allowed to enter or remain on site for business purposes) shall be limited from 5:00 a.m. to 12:00 a.m. daily. A Temporary Use Permit may be issued for 24-hour operations during any holiday period. A Temporary Use Permit may be issued for 24-hour operations during any holiday period subject to approval of the Village Police Chief. In addition, a 24-hour holiday operation may require the owners to enter into an agreement and pay for the overtime services of the Police Department, as determined by the Police Chief. Pursuant to the Zoning Ordinance and liquor license requirements, the store is allowed to be open until midnight; however, Class A Beer is only allowed to be sold from 8:00 a.m. to midnight and Class A Intoxicated Liquor is only allowed to be sold from 8:00 am to 9:00 p.m.

11. Currently, deliveries and shipments occur during the time that BP is open to the public.
12. The delivery hours or any other activities outside the principal building that might cause a disturbance to neighboring areas (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, is allowed only from 6:00 a.m. to 10:00 p.m.
13. BP Amoco Gas Station and Convenience Store located at 10477 120<sup>th</sup> Avenue is a self-service gasoline and diesel station, selling petroleum products to consumers of passenger vehicles and light trucks. It does not service or sell petroleum products to over-the-road trucks, cabs or other specialized commercial or construction vehicles. In addition, BP operates a convenience store under the brand name AM/PM that provides various grocery store and automobile supplies and accessories, along with a quick service restaurant, bakery, self-service coffee bar and soda fountain, and an e-commerce area for computerized assistance with weather and traffic information. The quick service restaurant provides seating for approximately 12 people and quick food selections of bakery items, sandwiches, soups and salads. The facility also provides separate men's and women's washrooms, and various other related convenience service amenities, including but not limited to, vacuum cleaners and compressed air for automobile maintenance, automated teller machine, along with the sale of alcohol and tobacco products as authorized by its license.
14. Due to several reported hazardous substance releases at the BP gas station dating back to 1993, the owner's consultants are developing and installing a carbon treatment system that will treat contaminated ground water. This system needs to be installed in an enclosed and heated facility. As a result, the southeast corner of the building is being expanded in order to house the filters and pumps that are necessary to operate the carbon treatment system. This system is detailed in a Settlement Agreement being entered into between the property owner and the Village, and the property owner will obtain all applicable permits before installing said system.
15. The expansion of the building will measure approximately 420 square feet (30 feet by 15 feet) and will simply "square" the building foot print. The same exterior building materials (brick and trim) will be used in order to match the expansion to the existing building.
16. No through penetration between the new carbon room addition and the existing building shall be allowed to ensure no transfer of potentially toxic chemicals such as but not limited to carbon monoxide.
17. The 420 square foot addition shall not be used for the storage of any materials including but not limited, cleaning supplies, extra toilet paper or other supplies, merchandize or other products.
18. The 420 square foot addition is subject to compliance with the following conditions from the Village Building Inspection Department:
  - a. All building, plumbing, lighting and HVAC plans will need to be designed to the IBC Codes, prior to submitting (4 sets) for building permits from the Village of Pleasant Prairie. Since the total cubic footage of the accessory structure is less than 100,000 cubic ft. this can be a Municipal review. All sub-contractors will be required to apply for permits.
  - b. Halls, corridors, stairways, passageways, work aisles and other means of egress from factories, offices and mercantile buildings shall have emergency lighting and exit lighting per Article 700 of the NEC, SPS 316.46 Which requires interior and exterior lighting. The existing plans only show interior lighting. The Village Fire &

Rescue Department shall be contacted for further information and requirements. Contact Fire & Rescue Chief Doug McElmury at 262-694-8027.

- c. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, prior to the final inspection with the Village Building Inspection and Fire & Rescue Departments.
  - d. The electrical contractor will be required to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin.
  - e. All fire alarm installations require plan review and permit from the Village of Pleasant Prairie Fire & Rescue Department.
19. **Downspouts shall be tied into the on-site storm sewer system and shall not be discharged onto existing pavement.**
  20. Landscaping on the site shall be installed, watered, weeded, trimmed and maintained in good condition at all times. Litter and debris shall be removed from the landscaping on a daily basis. Damaged, dying or dead plant material shall be removed and new plantings shall be installed on a regular basis. Mulch shall be raked in place on a regular basis and replaced yearly.
  21. The carbon treatment system will not create any disturbance to the surrounding property owners as it will be housed in an enclosed and insulated expansion of the building. It is anticipated that the system will operate off and on for several years, dependent on the rise of ground water due to changes in the weather.
  22. This system will not require any additional staff to manage and operate, as it will be automated and will only occasionally require the replacement of carbon filters that will be disposed of using sealed drums provided and retrieved by qualified environmental disposal companies. Moreover, the system will not alter existing operations of the gasoline station and convenience store, as those operations will continue as normal.
  23. Currently, there are seven (7) full time and three (3) part time employees, but additional seasonal help is retained during peak holiday seasons. Currently, there are only two shifts of employees, but a third shift has been added when the hours are expanded during the Midnight Madness house Thanksgiving evening/Black Friday. There are currently 23 parking spaces on the site, but with the expansion of the building, two (2) parking spaces are being removed, leaving a total of 21 parking spaces (one handicapped access parking space, and 20 conventional parking spaces). The number of parking spaces excludes the cars that can be parked at the pumps.
  24. Pursuant to the Village Zoning Ordinance the minimum parking requirements for a gasoline station with a convenience store is five (5) spaces per each 2,000 square feet of gross floor area plus 1 space for each employee on the largest shift plus the required handicapped accessible parking spaces pursuant to the state code. Therefore, a minimum of 13 spaces plus their required handicapped accessible parking spaces is required (5 spaces plus 3 spaces plus 5 spaces (assuming no more than five workers on site)).
  25. It is anticipated that traffic volumes of 500 to 1,000 daily trips will continue, and there will be no truck trips other than deliveries of goods to the BP. The main products being sold at the BP include, but are not limited to: gasoline and diesel fuels, related automobile supplies and parts, along with food and beverages, all of which are currently being sold at the BP, which will continue after the expansion. Aside from the installation of the carbon treatment system, all of the existing equipment will continue to be utilized in the operation

of the BP (petroleum delivery systems, coolers, ovens, and related food preparation equipment).

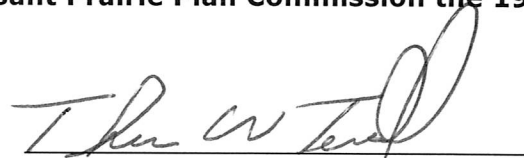
26. Aside from the disposal of the carbon filters, the BP only has normal household cleaners used in the maintenance of the business in order to clean the food preparation and service areas, floors and bathrooms. The only waste that is disposed of at the BP is spoiled food and drink products, grey water waste and sanitary waste from the bathrooms.
27. In accordance with the DSIS Agreement, the security cameras shall be inaccessible to employees. Conspicuous signs shall be posted at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times and the Village of Pleasant Prairie Police Department shall be promptly provided any requested video. The recording shall be kept in an archive for a minimum of two weeks and the Pleasant Prairie Police Department shall have remote access to the system to monitor and download video. Specifically, internet access shall be provided which would allow the Police Department to have "live time" monitoring of the BP store and site.
28. The parking lot shall be illuminated to provide sufficient lighting for the public's safety and for the security cameras to operate effectively per the Village's satisfaction.
29. A clear and unobstructed view of the cash registers and transaction areas shall be maintained from the internal 30-foot wide on-site circulation access roadway.
30. The building shall be equipped with and shall use an inaccessible drop safe.
31. Between 10:00-12:00 p.m. and 5:00-7:00 a.m. at least two (2) employees shall be working on-site unless the business has taken measures to protect a lone clerk such as the installation of bullet resistant glass or other equipment as approved by the Police Department, making the lone employee inaccessible.
32. Installation and full operation of a hold-up alarm, which is monitored by a UL listed central station with functioning telephone service, shall be used at the BP station building.
33. The cash register shall not be left unattended for periods of time when the convenience store is open to the public.
34. A height strip shall be located at each doorway entering and exiting the convenience store.
35. The owner shall retain landscapers to regularly maintain, replace and upgrade the landscaping that surrounds the property, including the removal of all snow and ice from the parking lots, driveways and sidewalks. In addition, employees walk the property on a regular basis to pick up debris, empty garbage cans, restock self-service washer fluids and paper towels, and to monitor the entire property in order to maintain it in a first class condition.
36. The owner shall obtain all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies.
37. All signs shall comply with Article X of Chapter 420 of the Village Municipal Code and with the BP Amoco PUD Ordinance on file with the Village. All signs shall be in good working order, properly maintained or repaired as needed, painted and well-kept.
38. The following types of signs are prohibited and shall not be installed. For a complete listing of prohibited signs refer to the Article X of Chapter 420 of the Village Municipal Code.:
  - a. Any sign with flashing or pulsating lights.

- b. Any inflatable sign, including but not limited to tethered balloon signs or other gas-filled figures.
  - c. Any temporary, spring-action metal advertising sign used, for example, to advertise cigarette or gasoline prices.
  - d. Any spotlights used as visual attention-getters.
  - e. Strings of lights, tinsel, pennants, pinwheels or other similar devices hanging between two points or attached to light poles, cars, landscaping or structures on the property.
39. The Village has received numerous complaints relating to the operations of the station site including litter and garbage on the site; broken light standards and signs; inoperable pumps; pumps that don't issue receipts; dead landscaping; violation of security protocol; interior building damage to walls, floors, painting, counters; garbage overflowing; illegal outside storage of product; allowing products to be stored outside; allowing a pothole to remain in the drive area causing damage of cars etc. These ongoing complaints must be addressed on a daily basis by the owners as a responsible business owner in the Village. The Zoning staff will conduct inspections on a semi-annual basis to ensure compliance with these issues.
40. The use, operations, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved Site and Operational Plans, the Conditional Use Permit, Liquor and Tobacco Licenses and all other applicable provisions of the Village Municipal Code and all other applicable Village, County, State or federal regulations.
41. The use, operations, site, building and structures shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the Performance Standards set out in Section 420-38 of the Village Zoning Ordinance.
42. The site, building and garbage dumpster structure shall be maintained in a clean, neat, presentable, aesthetically pleasing, odor-free, structurally sound and nonhazardous condition inside and outside of the store at all times. All litter and debris outside of the structures shall be promptly removed on a daily basis. The garbage dumpster enclosure doors shall not be left open on garbage day and shall be promptly closed and secured after the pick-up of garbage.
43. The handicapped parking spaces shall be appropriately signed, painted on the pavement and maintained pursuant to ADA requirements.
44. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.
45. All required landscaping shall be installed per the plans and written verification and/or certification shall be provided to the Village by the landscape installer/designer that the landscaping has been installed in accordance with the Village approved landscape plan.
46. On site building alterations/modifications or changes in the operations or use of the site shall be in strict conformity to the Village approved plans and the Settlement Agreement approved in connection with the petition for this Conditional Use Permit. Violations of these conditions may result in the suspension or revocation of the conditional use permit and zoning violation prosecution, or both.
47. All uses shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water discharges and storm water management, noise, streets and highways and

fire protection; and in the event of conflicting requirements or standards, the most restrictive as determined by the Village shall apply.

- 48. All required permits shall be obtained from the Village prior to commencing work.
- 49. Operation of the uses granted herein shall be in strict conformity to the approved and documents filed and approved in connection with the petition for Site and Operational Plan approval. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
- 50. No changes to the exterior site, building or structures shall be made without the Village's approval. No painting of the exterior masonry of the BP station building or garbage dumpster enclosure shall be permitted, unless expressly permitted by the Village. Colors for building trim work shall be approved by the Village.
- 51. Any addition, alteration, extension, expansion or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
- 52. The Conditional Use Permit shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
- 53. The Conditional Use Permit is subject to amendment and termination in accordance with the provisions of the Village General Zoning and Floodplain/Shoreland Zoning Ordinance.
- 54. **This Conditional Use Permit is valid until May 1, 2013. In order for this facility to continue to operate after May 1, 2013, this conditional use permit shall be reconsidered by the Plan Commission at a public hearing and amended prior to May 1, 2013.**

**Granted by the action of the Village of Pleasant Prairie Plan Commission the 19<sup>th</sup> day of November 2012.**

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

ATTEST:

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

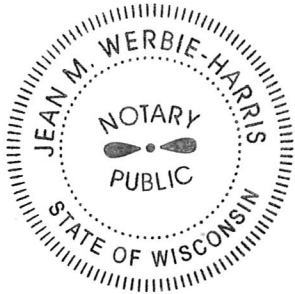
*[Owners signature on following page]*

**OWNER: VIDHYA Corp, VIII, Inc.**

Dixit Patel  
Dixit Patel  
President

ACKNOWLEDGMENT  
STATE OF Wisconsin )  
  SS  
Kenosha COUNTY)

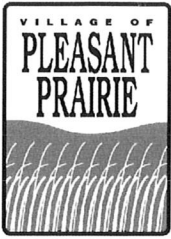
This instrument was acknowledged before me in Pleasant Prairie (city)  
Wisconsin (state), on this 12~~4~~ day of December, 2012 by  
Dixit Patel, President on behalf of VIDHYA Corp, VIII, Inc.



Jean M. Werbie-Harris  
Print Name: Jean M. Werbie-Harris  
Notary Public, Kenosha County, WI  
My Commission Expires: 1/5/2014

**THIS INSTRUMENT WAS DRAFTED BY:**  
Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, Wisconsin 53158





**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE GRANT NO. 13-03**

Before the Village of Pleasant Prairie Plan Commission,  
Kenosha County, Wisconsin, in regard to the property  
located at 10477 120<sup>th</sup> Avenue.



DOCUMENT  
1709490

RECORDED  
At Kenosha County, Kenosha WI 53140  
JoEllyn N. Storz, Register of Deeds  
August 14, 2013 10:09 AM  
\$30.00  
Pages 8

**Return to:**

Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**Tax Parcel Number:**

92-4-122-302-0130 8

**Legal Description:** Lot 14 of CSM 1489 (Document #872365) located in the Northwest One Quarter of U.S. Land Survey Section 30, Township 1 North, Range 22 East in the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, Kenosha County Wisconsin.

**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provides that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

**WHEREAS**, such petition having been made to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site and public hearing held thereon, and the Village Plan Commission having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, that the grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing and the comments presented in this document that the project meets the following standards for granting a Conditional Use Permit in that the project/use:

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department.
- The project does not appear to create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.

- There are no existing identified hazards, dangers, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use. However, previous soil contaminations are being addressed as part of and as a condition of this Conditional Use Permit
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining zoning districts and land uses.

**NOW THEREFORE**, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site.

1. Compliance with PUD Ordinance #12-40, including the Digital Security Imaging System Agreement on file with the Village.
2. Compliance with the terms and conditions of the executed Settlement Agreement approved by the Village Board on November 19, 2012 and amended on April 1, 2013 both on file with the Village.
3. Compliance with the Site and Operational Plans as conditionally approved by the Village Plan Commission on November 19, 2012 on file with the Village.
4. Compliance with the Preliminary Site Investigation Work Plan dated November 14, 2012. The Remedial Action Plan and Remedial Design Report shall be compliant with NR 700 shall be submitted to the Village.
5. Compliance with the WI DNR WPDES Permit issued on November 2, 2012.
6. Compliance with the Wisconsin Department of Transportation Work in the Right-of-Way Permit dated November 26, 2012.
7. Provide to the Village a copy of an ongoing agreement shall be executed by the Owner and an appropriate environmental firm to accomplish the following:
  - to monitor the operation and maintenance of the groundwater treatment system on a regular basis;
  - to continue influent and effluent sampling and analysis on the schedule prescribed in the stipulated agreement; and
  - to respond as needed to onsite emergencies related to the treatment system and alarms.
8. All hard surfaced areas including the parking lot areas, drive lanes, paved areas adjacent to the pumps, sidewalks, etc. shall be clean, neat and free from pot holes or other cracks which present a safety risk to the pedestrians or traveling public. The hard surface areas of the site shall be maintained and free of any debris or potholes which may cause distractions or damages to vehicles. All pavement markings shall be done in yellow or white reflective paint.
9. The gas station and convenience store shall operate in an organized, well-kept, clean, neat and professional manner. The inside of the store shall be maintained, painted, and clean for the public. Damaged or dirty walls, floors, coolers, bathrooms, racking, displays lighting, etc. shall be taken care of or repaired promptly. Malfunctioning gas pumps shall be repaired as soon as possible.
9. A Kenosha County Health Department permit and regular inspections will be conducted on the premises. Violations may result in the suspension or revocation of the Health Permit and the Conditional Use Permit.

10. The hours of operation (when the public is allowed to enter or remain on site for business purposes) shall be limited from 5:00 a.m. to 12:00 a.m. daily. A Temporary Use Permit may be issued for 24-hour operations during any holiday period subject to approval of the Village Police Chief. In addition, a 24-hour holiday operation will require the owners to enter into an agreement and pay for the overtime services of the Police Department, as determined by the Police Chief. Pursuant to the Zoning Ordinance and liquor license requirements, the store is allowed to be open until midnight; however, Class A Beer is only allowed to be sold from 8:00 a.m. to midnight and Class A Intoxicated Liquor is only allowed to be sold from 8:00 am to 9:00 p.m.
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  - a. All building, plumbing, lighting and HVAC plans shall be designed to the IBC Codes, prior to submitting (4 sets) for building permits from the Village of Pleasant Prairie. Since the total cubic footage of the accessory structure is less than 100,000 cubic ft. this can be a Municipal review. All sub-contractors will be required to apply for permits.
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  - d. The electrical contractor shall to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin.
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27. In accordance with the DSIS Agreement, the security cameras shall be inaccessible to employees. Conspicuous signs shall be posted and maintained at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times and the Village of Pleasant Prairie Police Department shall be promptly provided any requested video. The recording shall be kept in an archive for a minimum of two weeks and the Pleasant Prairie Police Department shall have remote access to the system to monitor and download video. Specifically, internet access shall be provided which would allow the Police Department to have "live time" monitoring of the BP store and site.
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37. All signs shall comply with Article X of Chapter 420 of the Village Municipal Code and with the BP Amoco PUD Ordinance on file with the Village. All signs shall be in good working order, properly maintained or repaired as needed, painted and well-kept.
38. The following types of signs are prohibited and shall not be installed. For a complete listing of prohibited signs refer to the Article X of Chapter 420 of the Village Municipal Code.:
  - a. Any sign with flashing or pulsating lights.
  - b. Any inflatable sign, including but not limited to tethered balloon signs or other gas-filled figures.
  - c. Any temporary, spring-action metal advertising sign used, for example, to advertise cigarette or gasoline prices.
  - d. Any spotlights used as visual attention-getters.
  - e. Strings of lights, tinsel, pennants, pinwheels or other similar devices hanging between two points or attached to light poles, cars, landscaping or structures on the property.
39. The Village had received numerous complaints relating to the operations of the station site including litter and garbage on the site; broken light standards and signs; inoperable pumps; pumps that don't issue receipts; dead landscaping; violation of security protocol; interior building damage to walls, floors, painting, counters; garbage overflowing; illegal outside storage of product; allowing products to be stored outside; allowing a pothole to remain in the drive area causing damage of cars etc. These ongoing complaints must be addressed on a daily basis by the owners as a responsible business owner in the Village. The Zoning staff will conduct inspections on a semi-annual basis to ensure compliance with these issues.
40. The use, operations, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved Site and Operational Plans, the Conditional Use Permit, Liquor and Tobacco Licenses and all other applicable provisions of the Village Municipal Code and all other applicable Village, County, State or federal regulations.
41. The use, operations, site, building and structures shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the Performance Standards set out in Section 420-38 of the Village Zoning Ordinance.
42. The site, building and garbage dumpster structure shall be maintained in a clean, neat, presentable, aesthetically pleasing, odor-free, structurally sound and nonhazardous condition inside and outside of the store at all times. All litter and debris outside of the structures shall be promptly removed on a daily basis. The garbage dumpster enclosure doors shall not be left open on garbage day and shall be promptly closed and secured after the pick-up of garbage.
43. The handicapped accessible parking spaces shall be appropriately signed, painted on the pavement and maintained pursuant to ADA requirements.
44. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.

45. All required landscaping shall be installed per the plans and written verification and/or certification shall be provided to the Village by the landscape installer/designer that the landscaping has been installed in accordance with the Village approved landscape plan.
46. On site building alterations/modifications or changes in the operations or use of the site shall be in strict conformity to the Village approved plans and the Settlement Agreement approved in connection with the petition for this Conditional Use Permit. Violations of these conditions may result in the suspension or revocation of the conditional use permit and zoning violation prosecution, or both.
47. All uses shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water discharges and storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive as determined by the Village shall apply.
48. All required permits shall be obtained from the Village prior to commencing work.
49. Operation of the uses granted herein shall be in strict conformity to the approved and documents filed and approved in connection with the petition for Site and Operational Plan approval. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
50. No changes to the exterior site, building or structures shall be made without the Village's approval. No painting of the exterior masonry of the BP station building or garbage dumpster enclosure shall be permitted, unless expressly permitted by the Village. Colors for building trim work shall be approved by the Village.
51. Any addition, alteration, extension, expansion or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
52. The Conditional Use Permit shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
53. The Conditional Use Permit is subject to amendment and termination in accordance with the provisions of the Village General Zoning and Floodplain/Shoreland Zoning Ordinance.
54. **This Conditional Use Permit is valid until June 10, 2014. In order for this facility to continue to operate after June 10, 2014, an application for an extension to this conditional use permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 10, 2014.**

**Granted by the action of the Village of Pleasant Prairie Plan Commission the 28<sup>th</sup> day of May 2013.**

  
Thomas W. Terwall  
Plan Commission Chairman

ATTEST:

  
Donald Hackbarth  
Secretary

*[Owners signature on following page]*

**OWNER: VIDHYA Corp, VIII, Inc.**

Dixit Patel

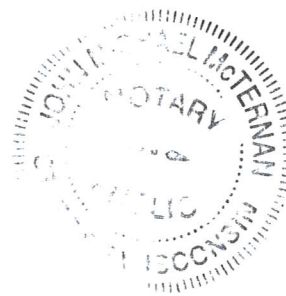
Dixit Patel  
President

ACKNOWLEDGMENT  
STATE OF Wisconsin  
KENOSHA SS  
COUNTY)

This instrument was acknowledged before me in City of Kenosha (city)  
State of Wisconsin (state), on this 22 day of July, 2013 by  
Dixit Patel, President on behalf of VIDHYA Corp, VIII, Inc.

JM

Print Name: J MICHAEL McTERWAN  
Notary Public, KENOSHA County  
My Commission Expires: Is Perpetual



**THIS INSTRUMENT WAS DRAFTED BY:**

Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, Wisconsin 53158





**VILLAGE OF PLEASANT PRAIRIE  
CONDITIONAL USE GRANT NO. 13-03 Amended**

Before the Village of Pleasant Prairie Plan Commission, Kenosha County, Wisconsin, in regard to the property located at 10477 120<sup>th</sup> Avenue.

**Return to:**

Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, WI 53158

**Tax Parcel Number:**

92-4-122-302-0130

**Legal Description:** Lot 14 of CSM 1489 (Document #872365) located in the Northwest One Quarter of U.S. Land Survey Section 30, Township 1 North, Range 22 East in the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, Kenosha County Wisconsin.

**WHEREAS**, the Zoning Code and Zoning District Map of the Village of Pleasant Prairie, pursuant to State Statute, provides that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

**WHEREAS**, such petition having been made to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site and public hearing held thereon, the Village Plan Commission has determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, that the grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing and the comments presented in this document that the project meets the following standards for granting a Conditional Use Permit in that the project/use:

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department.
- The project does not appear to create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.

- There are no existing identified hazards, dangers, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use. However, previous soil contaminations are being addressed as part of and as a condition of this Conditional Use Permit
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining zoning districts and land uses.

**NOW THEREFORE**, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site.

1. Compliance with PUD Ordinance #12-40, including the Digital Security Imaging System Agreement on file with the Village.
2. **Compliance with the terms and conditions of the executed Settlement Agreement approved by the Village Board on November 19, 2012, 1<sup>st</sup> Amendment to the Settlement Agreement approved on April 1, 2013 and 2<sup>nd</sup> Amendment to the Settlement Agreement approved on February 3, 2014 on file with the Village.**
3. Compliance with the Site and Operational Plans as conditionally approved by the Village Plan Commission on November 19, 2012 on file with the Village.
4. Compliance with the Preliminary Site Investigation Work Plan dated November 14, 2012. The Remedial Action Plan and Remedial Design Report shall be compliant with NR 700 shall be submitted to the Village.
5. Compliance with the WI DNR WPDES Permit issued on November 2, 2012.
6. Compliance with the Wisconsin Department of Transportation Work in the Right-of-Way Permit dated November 26, 2012.
7. Provide to the Village a copy of an ongoing agreement shall be executed by the Owner and an appropriate environmental firm to accomplish the following:
  - to monitor the operation and maintenance of the groundwater treatment system on a regular basis;
  - to continue influent and effluent sampling and analysis on the schedule prescribed in the stipulated agreement; and
  - to respond as needed to onsite emergencies related to the treatment system and alarms.
8. All hard surfaced areas including the parking lot areas, drive lanes, paved areas adjacent to the pumps, sidewalks, etc. shall be clean, neat and free from pot holes or other cracks which present a safety risk to the pedestrians or traveling public. The hard surface areas of the site shall be maintained and free of any debris or potholes which may cause distractions or damages to vehicles. All pavement markings shall be done in yellow or white reflective paint.
9. The gas station and convenience store shall operate in an organized, well-kept, clean, neat and professional manner. The inside of the store shall be maintained, painted, and clean for the public. Damaged or dirty walls, floors, coolers, bathrooms, racking, displays lighting, etc. shall be taken care of or repaired promptly. Malfunctioning gas pumps shall be repaired as soon as possible.

9. A Kenosha County Health Department permit and regular inspections will be conducted on the premises. Violations may result in the suspension or revocation of the Health Permit and the Conditional Use Permit.
10. The hours of operation (when the public is allowed to enter or remain on site for business purposes) shall be limited from 5:00 a.m. to 12:00 a.m. daily. A Temporary Use Permit may be issued for 24-hour operations during any holiday period subject to approval of the Village Police Chief. In addition, a 24-hour holiday operation will require the owners to enter into an agreement and pay for the overtime services of the Police Department, as determined by the Police Chief. Pursuant to the Zoning Ordinance and liquor license requirements, the store is allowed to be open until midnight; however, Class A Beer is only allowed to be sold from 8:00 a.m. to midnight and Class A Intoxicating Liquor is only allowed to be sold from 8:00 am to 9:00 p.m.
11. Currently, deliveries and shipments are allowed only during the time that BP is open to the public.
12. The delivery hours or any other activities outside the principal building that might cause a disturbance to neighboring areas (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, is allowed only from 6:00 a.m. to 10:00 p.m.
13. BP Amoco Gas Station and Convenience Store located at 10477 120<sup>th</sup> Avenue is a self-service gasoline and diesel station, selling petroleum products to consumers of passenger vehicles and light trucks. It does not service or sell petroleum products to over-the-road trucks, cabs or other specialized commercial or construction vehicles. In addition, BP operates a convenience store that provides various grocery store and automobile supplies and accessories, along with a quick service restaurant, bakery, self-service coffee bar and soda fountain, and an e-commerce area for computerized assistance with weather and traffic information. The quick service restaurant provides seating for approximately 12 people and quick food selections of bakery items, sandwiches, soups and salads. The facility also provides separate men's and women's washrooms, and various other related convenience service amenities, including but not limited to, vacuum cleaners and compressed air for automobile maintenance, automated teller machine, along with the sale of alcohol and tobacco products as authorized by its license.
14. Due to several reported hazardous substance releases at the BP gas station dating back to 1993, the owner's consultants have developed and installed a carbon treatment system that treats contaminated ground water. This system needs to be installed in an enclosed and heated facility. As a result, the southeast corner of the building was expanded in order to house the filters and pumps that are necessary to operate the carbon treatment system. This system is detailed in a Settlement Agreement being entered into between the property owner and the Village, and the property owner obtained all applicable permits before installing said system.
15. The expansion of the building measures approximately 420 square feet (30 feet by 15 feet) and simply "square" the building foot print. The same exterior building materials (brick and trim) were used in order to match the expansion to the existing building.
16. No through penetration between the new carbon room addition and the existing building shall be allowed to ensure no transfer of potentially toxic chemicals such as but not limited to carbon monoxide.
17. The 420 square foot addition shall not be used for the storage of any materials including but not limited, cleaning supplies, extra toilet paper or other supplies, merchandize or other products.

18. The 420 square foot addition is subject to compliance with the following conditions from the Village Building Inspection Department:
  - a. All building, plumbing, lighting and HVAC plans shall be designed to the IBC Codes, prior to submitting (4 sets) for building permits from the Village of Pleasant Prairie. Since the total cubic footage of the accessory structure is less than 100,000 cubic ft. this can be a Municipal review. All sub-contractors will be required to apply for permits.
  - b. Halls, corridors, stairways, passageways, work aisles and other means of egress from factories, offices and mercantile buildings shall have emergency lighting and exit lighting per Article 700 of the NEC, SPS 316.46 Which requires interior and exterior lighting. The existing plans only show interior lighting. The Village Fire & Rescue Department shall be contacted for further information and requirements. Contact Fire & Rescue Chief Doug McElmury at 262-694-8027.
  - c. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, prior to the final inspection with the Village Building Inspection and Fire & Rescue Departments.
  - d. The electrical contractor shall to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin.
  - e. All fire alarm installations require plan review and permit from the Village of Pleasant Prairie Fire & Rescue Department.
19. Downspouts shall be tied into the on-site storm sewer system and shall not be discharged onto existing pavement.
20. Landscaping on the site shall be installed, watered, weeded, trimmed and maintained in good condition at all times. Litter and debris shall be removed from the landscaping on a daily basis. Damaged, dying or dead plant material shall be removed and new plantings shall be installed on a regular basis. Mulch shall be raked in place on a regular basis and replaced yearly.
21. The carbon treatment system will not create any disturbance to the surrounding property owners as it will be housed in an enclosed and insulated expansion of the building. It is anticipated that the system will operate off and on for several years, dependent on the rise of ground water due to changes in the weather.
22. This system will not require any additional staff to manage and operate, as it will be automated and will only occasionally require the replacement of carbon filters that will be disposed of using sealed drums provided and retrieved by qualified environmental disposal companies. Moreover, the system will not alter existing operations of the gasoline station and convenience store, as those operations will continue as normal.
23. Currently, there are seven (7) full time and three (3) part time employees, but additional seasonal help is retained during peak holiday seasons. Currently, there are only two shifts of employees, but a third shift has been added when the hours are expanded during the Midnight Madness hours for Thanksgiving evening/Black Friday. There are currently 23 parking spaces on the site, but with the expansion of the building, two (2) parking spaces are being removed, leaving a total of 21 parking spaces (one handicapped access parking space, and 20 conventional parking spaces). The number of parking spaces excludes the cars that can be parked at the pumps.

24. Pursuant to the Village Zoning Ordinance the minimum parking requirements for a gasoline station with a convenience store is five (5) spaces per each 2,000 square feet of gross floor area plus 1 space for each employee on the largest shift plus the required handicapped accessible parking spaces pursuant to the state code. Therefore, a minimum of 13 spaces plus their required handicapped accessible parking spaces is required (5 spaces plus 3 spaces plus 5 spaces (assuming no more than five workers on site).
25. It is anticipated that traffic volumes of 500 to 1,000 daily trips will continue, and there will be no truck trips other than deliveries of goods to the BP. The main products being sold at the BP include, but are not limited to: gasoline and diesel fuels, related automobile supplies and parts, along with food and beverages, all of which are currently being sold at the BP, which will continue after the expansion. Aside from the installation of the carbon treatment system, all of the existing equipment will continue to be utilized in the operation of the BP (petroleum delivery systems, coolers, ovens, and related food preparation equipment).
26. Aside from the disposal of the carbon filters, the BP only has normal household cleaners used in the maintenance of the business in order to clean the food preparation and service areas, floors and bathrooms. The only waste that is disposed of at the BP is spoiled food and drink products, grey water waste and sanitary waste from the bathrooms.
27. In accordance with the DSIS Agreement, the security cameras shall be inaccessible to employees. Conspicuous signs shall be posted and maintained at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times and the Village of Pleasant Prairie Police Department shall be promptly provided any requested video. The recording shall be kept in an archive for a minimum of two weeks and the Pleasant Prairie Police Department shall have remote access to the system to monitor and download video. Specifically, internet access shall be provided which would allow the Police Department to have "live time" monitoring of the BP store and site.
28. The parking lot shall be illuminated to provide sufficient lighting for the public's safety and for the security cameras to operate effectively per the Village's satisfaction.
29. A clear and unobstructed view of the cash registers and transaction areas shall be maintained from the internal 30-foot wide on-site circulation access roadway.
30. The building shall be equipped with and shall use an inaccessible drop safe.
31. Between 10:00-12:00 p.m. and 5:00-7:00 a.m. at least two (2) employees shall be working on-site unless the business has taken measures to protect a lone clerk such as the installation of bullet resistant glass or other equipment as approved by the Police Department, making the lone employee inaccessible.
32. Installation and full operation of a hold-up alarm, which is monitored by a UL listed central station with functioning telephone service, shall be used at the BP station building.
33. The cash register shall not be left unattended for periods of time when the convenience store is open to the public.
34. A height strip shall be located at each doorway entering and exiting the convenience store.
35. The owner shall retain landscapers to regularly maintain, replace and upgrade the landscaping that surrounds the property, including the removal of all snow and ice from the parking lots, driveways and sidewalks. In addition, employees shall walk the property on a regular basis to pick up debris, empty garbage cans, restock self-service washer fluids and paper towels, and to monitor the entire property in order to maintain it in a first class condition.

36. The owner shall obtain all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies.
37. All signs shall comply with Article X of Chapter 420 of the Village Municipal Code and with the BP Amoco PUD Ordinance on file with the Village. All signs shall be in good working order, properly maintained or repaired as needed, painted and well-kept.
38. The following types of signs are prohibited and shall not be installed. For a complete listing of prohibited signs refer to the Article X of Chapter 420 of the Village Municipal Code.:
  - a. Any sign with flashing or pulsating lights.
  - b. Any inflatable sign, including but not limited to tethered balloon signs or other gas-filled figures.
  - c. Any temporary, spring-action metal advertising sign used, for example, to advertise cigarette or gasoline prices.
  - d. Any spotlights used as visual attention-getters.
  - e. Strings of lights, tinsel, pennants, pinwheels or other similar devices hanging between two points or attached to light poles, cars, landscaping or structures on the property.
39. The Village had received numerous complaints relating to the operations of the station site including litter and garbage on the site; broken light standards and signs; inoperable pumps; pumps that don't issue receipts; dead landscaping; violation of security protocol; interior building damage to walls, floors, painting, counters; garbage overflowing; illegal outside storage of product; allowing products to be stored outside; allowing a pothole to remain in the drive area causing damage of cars etc. These ongoing complaints must be addressed on a daily basis by the owners as a responsible business owner in the Village. The Zoning staff will conduct inspections on a semi-annual basis to ensure compliance with these issues.
40. The use, operations, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved Site and Operational Plans, the Conditional Use Permit, Liquor and Tobacco Licenses and all other applicable provisions of the Village Municipal Code and all other applicable Village, County, State or federal regulations.
41. The use, operations, site, building and structures shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the Performance Standards set out in Section 420-38 of the Village Zoning Ordinance.
42. The site, building and garbage dumpster structure shall be maintained in a clean, neat, presentable, aesthetically pleasing, odor-free, structurally sound and nonhazardous condition inside and outside of the store at all times. All litter and debris outside of the structures shall be promptly removed on a daily basis. The garbage dumpster enclosure doors shall not be left open on garbage day and shall be promptly closed and secured after the pick-up of garbage.
43. The handicapped accessible parking spaces shall be appropriately signed, painted on the pavement and maintained pursuant to ADA requirements.
44. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.

45. All required landscaping shall be installed per the plans and written verification and/or certification shall be provided to the Village by the landscape installer/designer that the landscaping has been installed in accordance with the Village approved landscape plan.
46. On site building alterations/modifications or changes in the operations or use of the site shall be in strict conformity to the Village approved plans and the Settlement Agreement approved in connection with the petition for this Conditional Use Permit. Violations of these conditions may result in the suspension or revocation of the conditional use permit and zoning violation prosecution, or both.
47. All uses shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water discharges and storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive as determined by the Village shall apply.
48. All required permits shall be obtained from the Village prior to commencing work.
49. Operation of the uses granted herein shall be in strict conformity to the approved and documents filed and approved in connection with the petition for Site and Operational Plan approval. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
50. No changes to the exterior site, building or structures shall be made without the Village's approval. No painting of the exterior masonry of the BP station building or garbage dumpster enclosure shall be permitted, unless expressly permitted by the Village. Colors for building trim work shall be approved by the Village.
51. Any addition, alteration, extension, expansion or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
52. The Conditional Use Permit shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
53. The Conditional Use Permit is subject to amendment and termination in accordance with the provisions of the Village General Zoning and Floodplain/Shoreland Zoning Ordinance.
54. **This Conditional Use Permit is valid until June 10, 2014. In order for this facility to continue to operate after June 10, 2014, an application for an extension to this conditional use permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 10, 2014.**

**Granted by the action of the Village of Pleasant Prairie Plan Commission the 28<sup>th</sup> day of May 2013 and amended by action of the Plan Commission on the 13<sup>th</sup> day of January, 2014.**

ATTEST:

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Thomas W. Terwall  
Plan Commission Chairman

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Donald Hackbarth  
Secretary

*[Owners signature on following page]*

**OWNER: VIDHYA Corp, VIII, Inc.**

\_\_\_\_\_  
Dixit Patel  
President

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_)  
SS  
\_\_\_\_\_ COUNTY)

This instrument was acknowledged before me in \_\_\_\_\_ (city)  
\_\_\_\_\_ (state), on this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by  
Dixit Patel, President on behalf of VIDHYA Corp, VIII, Inc.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**THIS INSTRUMENT WAS DRAFTED BY:**

Jean M. Werbie-Harris  
Community Development Director  
Village of Pleasant Prairie  
9915 39<sup>th</sup> Avenue  
Pleasant Prairie, Wisconsin 53158



- H. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-11 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN:** for the request of Mark Molinaro, Jr. of Partners In Design Architects, agent on behalf of the Hospice Alliance Foundation, Inc. owners of the property located at 10220 Prairie Ridge Blvd and a portion of the vacant property to the east for the future expansion of the Hospice facility: 1) to amend the Village 2035 Land Use Plan Map 9.9 by changing the land use designation of the property from the Community Commercial land use designation to the Government and Institutional land use designation to ensure that both the Zoning Map and the Comprehensive Land Use Plan are consistent; and 2) to update Appendix 10-3 of the Village 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 #14-11** as presented.

## VILLAGE STAFF REPORT OF JUNE 9, 2014

### **CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-11 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN:**

for the request of Mark Molinaro, Jr. of Partners In Design Architects, agent on behalf of the Hospice Alliance Foundation, Inc. owners of the property located at 10220 Prairie Ridge Blvd and a portion of the vacant property to the east for the future expansion of the Hospice facility: 1) to amend the Village 2035 Land Use Plan Map 9.9 by changing the land use designation of the property from the Community Commercial land use designation to the Government and Institutional land use designation to ensure that both the Zoning Map and the Comprehensive Land Use Plan are consistent; and 2) to update Appendix 10-3 of the Village 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

*On April 21, 2014, the Village Board approved a Conceptual Plan, Zoning Text and Map Amendment and Certified Survey Map for the of the property located at 10220 Prairie Ridge Blvd. and the vacant 8.6 acre property to the east for the future expansion of the Hospice facility and future commercial development. In addition, on April 14, 2014, the Plan Commission approved Site and Operational Plans for Hospice Alliance to expand the parking for their existing facility at 10220 Prairie Ridge Blvd.*

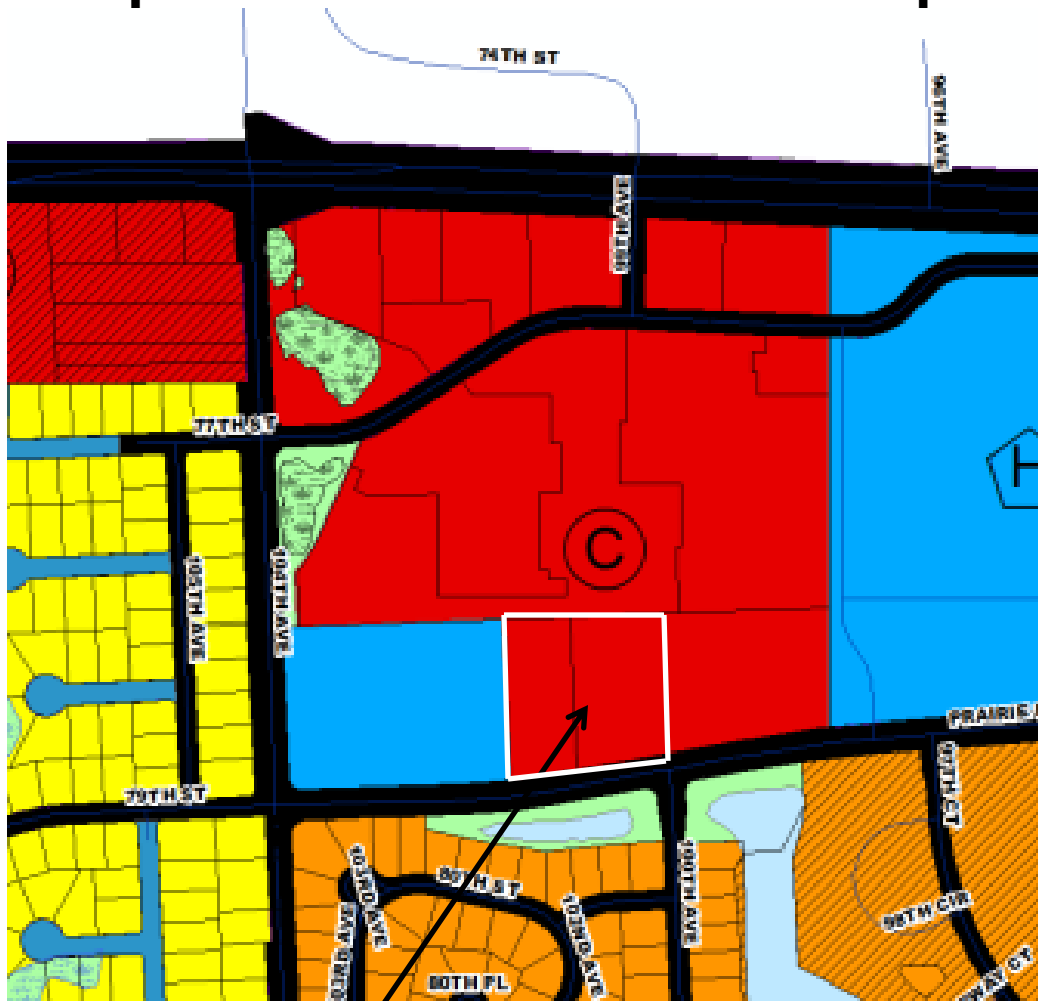
As a condition of the above noted approvals, the owners were required to submit a request and the required \$225 application fee to amend the Village Comprehensive Land Use Plan by July 1, 2014 for the required amendment. As noted during the April 14, 2014 public hearing, the Village Comprehensive Land Use Plan will be required to be updated to correctly identify that Lot 1 of the CSM 2751 should be located within the Government and Institutional land use designation to ensure that both the zoning map and the comprehensive land use plan are consistent. Currently the Land Use Plan indicates this property is located within the Community Commercial land use designation.

Specifically as outlined in Plan Commission Resolution #14-11 the following amendments are proposed:

1. to amend the Village 2035 Land Use Plan Map 9.9 by changing the land use designation of the property from the Community Commercial land use designation to the Government and Institutional land use designation; and
2. 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 #14-11** as presented.

# Proposed Amendment to the Village Comprehensive Land Use Plan Map 9.9



To change the land use designation of the property from the Community Commercial land use designation to the Government and Institutional land use designation to ensure that both the Zoning Map and the Comprehensive Land Use Plan are consistent.

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION  
RESOLUTION #14-11**

**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**, Hospice Alliance Foundation, Inc. owners of the property located at 10220 Prairie Ridge Blvd. (Tax Parcel Number 91-4-122-082-0150) are requesting the following amendments to the Village 2035 Land Use Plan Map to ensure that the Zoning Map and the land use plan are consistent:

1. to amend the Village 2035 Land Use Plan Map 9.9 by changing the land use designation of the property from the Community Commercial land use designation to the Government and Institutional land use designation; and
2. 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 June 9, 2014 the Village Plan Commission held a public hearing to discuss the proposed amendments.

**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 aforementioned amendments to the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan as presented at the June 9, 2014 public hearing.

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

**Adopted this 9<sup>th</sup> day of June 2014.**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

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

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

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

- I. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-12 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN:** 1) to amend the Village 2035 Land Use Plan Map 9.9 of the Village's 2035 Comprehensive Plan. Specifically, the land use designation of property located at the southeast corner of CTH EZ (39<sup>th</sup> Avenue) and Springbrook Road is being changed from the Mixed Use Lands (Village Green Center) with an urban reserve land use designation to the Government and Institutional land use designation for the relocation and construction of Fire Station #1; and 2) to update Appendix 10-3 of the Village, 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 #14-12** as presented.

## VILLAGE STAFF REPORT OF JUNE 9, 2014

**CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-12 FOR AMENDMENTS TO THE VILLAGE COMPREHENSIVE PLAN:** 1) to amend the Village 2035 Land Use Plan Map 9.9 of the Village's 2035 Comprehensive Plan. Specifically, the land use designation of property located at the southeast corner of CTH EZ (39<sup>th</sup> Avenue) and Springbrook Road is being changed from the Mixed Use Lands (Village Green Center) with an urban reserve land use designation to the Government and Institutional land use designation for the relocation and construction of Fire Station #1; and 2) to update Appendix 10-3 of the Village, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

*On May 19, 2014, the Village Board has approved a Master Conceptual Plan, Zoning Text and Map Amendment for the redevelopment of the Village Campus located at 9915 39<sup>th</sup> Avenue including the relocation of Fire & Rescue Station #1 to the north side of the Village Hall in a new building. In addition, on May 12, 2014 the Plan Commission approved Site and Operational Plans for the construction of a new Fire & Rescue Station #1, and for renovations of the existing Fire & Rescue Station #1.*

As discussed at the May 12, 2014 Plan Commission meeting, when discussing the zoning map amendment subsequently approved by the Village Board on May 19, 2014, amendments to the Comprehensive Land Use Plan were required to ensure that the zoning map and the land use plan are consistent. The property was rezoned by the Village Board on May 19, 2014 to I-1 (PUD), Institutional District with a Planned Unit Development Overlay District and the portion of the property for FS #1 is located within the Mixed Use Lands (Village Green Center) with an urban reserve land use designation pursuant to the Village Comprehensive Land Use Plan. The entire Village Campus property is proposed to be located within the Government and Institutional land use designation so that the entire Village Campus is located in the same land use designation.

Specifically as outlined in Plan Commission Resolution #14-12 the following amendments are proposed:

1. to amend the 2035 Land Use Plan Map 9.9 to change the Mixed Use Lands (Village Green Center) with an urban reserve land use designation on the property located at the southeast corner of CTH EZ (39<sup>th</sup> Avenue) and Springbrook Road to the Government and Institutional land use designation for the relocation and construction of Fire Station #1.
2. 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 #14-12** as presented.



**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION  
RESOLUTION #14-12**

**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**, the Village, owner of the property located at 9915 39<sup>th</sup> Avenue (Tax Parcel Number 92-4-122-243-0021) is proposing to redevelop the property for the Village Campus located at 9915 39<sup>th</sup> Avenue including the relocation of Fire & Rescue Station #1 to the north side of the Village Hall in a new building;

**WHEREAS**, as a result of the proposed redevelopment, the following amendments to the Comprehensive Plan are proposed to ensure that the zoning map and the land use plan are consistent:

1. to amend the 2035 Land Use Plan Map 9.9 to change the Mixed Use Lands (Village Green Center) with an urban reserve land use designation on the property located at the southeast corner of CTH EZ (39<sup>th</sup> Avenue) and Springbrook Road to the Government and Institutional land use designation; and
2. 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 June 9, 2014 the Village Plan Commission held a public hearing to discuss the proposed amendments.

**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 aforementioned amendments to the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan as presented at the June 9, 2014 public hearing.

**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 9<sup>th</sup> day of June 2014.**

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

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

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

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