

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39th AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
DECEMBER 14, 2015**

AGENDA

1. Call to Order.
2. Roll Call.
3. Consider the Minutes of the October 26 and November 9, 2015 Plan Commission Meetings.
4. Correspondence.
5. Citizen Comments.
6. New Business.
 - A. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #15-19 FOR SEVERAL COMPREHENSIVE PLAN AMENDMENTS** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development: 1) To amend a portion of the Pleasant Farms Neighborhood Plan to include the proposed layout of the Bethany Church Campus development; 2) To amend the Village 2035 Land Use Plan Map 9.9 to change the Low-Medium Density Residential land use designation and a portion of the Park, Recreational And Other Open Space Lands (that are not wetland or 100 year floodplain) to the Governmental and Institutional Lands land use designation, and to amend the urban reserve designation to correspond with the Governmental and Institutional Lands land use designation; and 3) To correct the map to reflect the field delineated wetlands on the property to correct the land use from Interpolated Wetlands to Field Verified Wetlands designation. In addition, Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin, 2035 Comprehensive Plan is proposed to be updated to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.
 - B. **PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development that includes the development of a church facility, educational facility with sports fields, up to four parsonages, and mausoleum.
 - C. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development to rezone the non-wetlands areas into the I-1 (AGO), Institutional District with a General Agricultural Overlay District and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District. The location of the 100-year floodplain on the property will remain unchanged.

- D. Consider approval of a **Certified Survey Map** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development.
- E. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development that includes the development of a church facility, educational facility with sports fields, up to four parsonages, and mausoleum.
- F. Consider approval of two (2) **Certified Survey Maps** for the request of Martin Hanley, agent for the owner Prairie Place LLC to subdivide the property generally located at the northwest corner of 39th Avenue and Springbrook Court and the property located west of Springbrook Road and north of 101st Street and create two parcels to be dedicated to the Village for park purposes as part of the Village Green Center development. **(TO BE TABLED UNTIL THE JANUARY 25, 2016 PLAN COMMISSION MEETING)**
- G. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT:** for the request of Martin Hanley, agent for the owner Prairie Place LLC to rezone a portion of the property generally located at the northwest corner of 39th Avenue and Springbrook Court and a portion of the property generally located west of Springbrook Road and north of 101st Street from the A-2, General Agricultural District to the PR-1, Neighborhood Park-Recreation District. These two areas are proposed to be dedicated to the Village for park purposes as part of the Village Green Center development. **(TO BE TABLED UNTIL THE JANUARY 25, 2016 PLAN COMMISSION MEETING)**
- H. Consider the request of Kurt Davidsen, Village Assistant Engineer for approval of a **Lot Line Adjustment** to add 2,682 square feet from the property located at 2517 91st Street, owned by Jeffery Wiegert, to the Village's parkland property to the south. The area being added to the Village's parkland property is an existing drainage easement located on Mr. Wiegert's property.
- I. Consider **Plan Commission Resolution #15-20** to initiate an amendment to the Village Comprehensive Plan as a result of wetland stakings being completed on two (2) vacant properties in Carol Beach Estates Unit #6 Subdivision identified as Tax Parcel Numbers 93-4-123-184-1210 and 93-4-123-184-1190).

7. Adjourn.

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

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

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
October 26, 2015**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:30 p.m. on October 26, 2015. Those in attendance were Thomas Terwall; Michael Serpe; Wayne Koessl; Jim Bandura; and Judy Juliana. Donald Hackbarth, John Braig, Deb Skarda (Alternate #2) and Bill Stoebig (Alternate #1) were excused. Also in attendance were Michael Pollocoff, Village Administrator; Tom Shircel, Assistant Administrator; Jean Werbie-Harris, Community Development Director; and Peggy Herrick, Assistant Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE SEPTEMBER 28, 2015 PLAN COMMISSION MEETING.**

Judy Juliana:

Move to approve.

Jim Bandura:

Second.

Tom Terwall:

MOVED BY JUDY JULIANA AND SECONDED BY JIM BANDURA TO APPROVE THE MINUTES OF THE SEPTEMBER 28, 2015 PLAN COMMISSION MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

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

Tom Terwall:

Since all three items on the agenda for this evening are public hearings, we would ask if you have any comments on those three items that you wait until the public hearing is held so we can incorporate your comments as a part of the official record. However, if you want to raise an issue that's not on the agenda or ask a question now would be your opportunity. Step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens' comments?

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS for the request of Brandon Jeffries, on behalf of Wisconsin Electric Power Company for approval to install a chemical feed system to supply a mercury emission control chemical to the Pleasant Prairie Power Plant Wet Flue Gas Desulfurization (FGD) facility located at 8000 95th Street. The chemical is used to control mercury emissions from the Pleasant Prairie Power Plant stack in order to comply with the Environmental Protection Agency's (EPA) Mercury and Air Toxic Standards (MATS) Rule.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, the first item, Item A, is a public hearing in consideration of a Conditional Use Permit including Site and Operational Plans for the request of Brandon Jeffries, on behalf of Wisconsin Electric Power Company for approval to install a chemical feed system to supply a mercury emission control chemical to the Pleasant Prairie Power Plant Wet Flue Gas Desulfurization or FGD facility located at 8000 95th Street. The chemical is used to control mercury emissions from the Pleasant Prairie Power Plant stack in order to comply with the Environmental Protection Agency's Mercury and Air Toxic Standards or MATS Rule.

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

Findings of Fact

1. The petitioner is requesting approval of a Conditional Use Permit, including Site and Operational Plans to install a chemical feed system to supply a mercury emission control chemical to the Pleasant Prairie Power Plant Wet Flue Gas Desulfurization facility located at 8000 95th Street. The chemical is used to control mercury emissions from the Pleasant Prairie Power Plant stack in order to comply with the EPA's Mercury and Air Toxic Standards or MATS Rule. Exhibit 1 has the application and the related materials.
2. The subject property is located at 8000 95th 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 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 as shown in Exhibit 1:
 - a. The flue gas desulfurization facility is a major piece of pollution control equipment for the Pleasant Prairie Power Plant. It receives the flue gas from the boiler after NOx and particulate matter have been reduced or removed, and it removes the sulfur oxides from the flue gas prior to the discharge to the atmosphere. The wet system uses an absorber vessel to circulate limestone slurry which reacts with sulfur compounds in the flue gas to form a synthetic gypsum material. In addition, mercury from the flue gas that is in an oxidized state will be trapped by the liquid inside the absorber vessels. This mercury, if it remains in its oxidized state, will pass through the FGD wastewater treatment system and be processed into a sludge material.
 - b. The new chemical feed system is proposed to be located immediately to the southwest of the base of the power plant's concrete stack. The location of the stack or chimney is indicated on the site map located in part of Appendix A of Exhibit 1. Appendices B and C of Exhibit 1 include the layout of the area around the concrete stack and the proposed drawing for the new chemical feed system. Additionally, a roof structure will be placed above the tank to protect it from falling ice in the winter. The new chemical feed system will supply a chemical to be injected into the absorber vessels with the intended purpose of keeping the captured mercury in an oxidized state so that it is not re-emitted into the air after leaving the stack. There will be two chemical feed pump skids placed inside an enclosure outside the concrete stack wall that will meter the chemical into the FGD system. The injection of this chemical is necessary for compliance with the US EPA's MATS rule governing mercury emissions from the power plant stack.
 - c. Appendix C of Exhibit 1 provides detailed drawings of the tank and feed pump system that is proposed to be installed southwest of the concrete stack structure of the power plant.

Tank Structure: The tank itself will be constructed from fiberglass reinforced plastic similar to other tanks installed at the plant site. The outer surface of the tank will have a grey gel coat with a UV inhibitor to protect the tank from sun exposure. The tank will be of a double wall construction to provide chemical spill protection, and will be equipped with leak detection monitors to ensure that chemical is not released unexpectedly. The tank will also be equipped with a ladder for access to the top components and ports and will have an OSHA compliant safety rail to prevent falls from the top of the tank.

Tank Instrumentation: The tank will be heated to prevent freezing of the chemical during winter months. The tank will also be equipped with level

detection instrumentation to determine the amount of chemical in the tank, and temperature detection equipment to monitor chemical temperature and to help control the heaters that are installed with the tank.

Chemical Metering Pump Skids: For each of the power plant's generating units, there will be one metering pump skid which will control the feed of the chemical into the absorber vessels. These pump skids will each consist of two motor driven metering pumps to meter in approximately 2.5 to 5 gallons per hour of the control chemical. Each skid will also be equipped with an air driven pump capable of dosing larger quantities of the chemical into the absorber vessels. This pump will be used for unit startup dosing and emergency dosing should both of the metering pumps be taken out of service. The pump skids will be housed in a heated enclosure outside the concrete stack and will be inside a spill containment berm for chemical spill prevention.

- d. Purpose and Need for this Project: Due to the limits imposed on coal fired power plants by the EPA's MATS rules, the power plant must make additional efforts to reduce the amount of mercury that is emitted from the stacks. Through testing it has been determined that the chemical additive being proposed for the permanent installation helps to keep the mercury captured. The objective of the project is to install a safe and reliable permanent source for the storage and supply of the chemical additive in order to maintain compliance with the EPA's MATS rules and the power plant's Title V air operating permit as issued by the Wisconsin Department of Natural Resources.
 - e. No additional environmental permits are anticipated for the installation of the proposed chemical feed system. The tank will be added to the power plant's Spill Prevention, Control, and Countermeasure Plan, to the power plants Title V Air Permit as an insignificant source and to the Kenosha County Local Emergency Planning Committee Hazardous Materials Off-Site Facility Plan.
5. Notices were sent to adjacent property owners via regular mail on October 8, 2015 and notices were published in the *Kenosha News* on October 12 and 19, 2015.
 6. The petitioner was emailed a copy of this staff report on October 23, 2015.
 7. According to the Village's 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, as well as any information presented this evening, that the project as planned, will not violate the intent and purpose of all Village Ordinances and it 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 Village ordinance requirements and all other applicable federal, state or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer, water and stormwater management service, noise, streets, highways and fire protection.

So with that I'd like to continue the public hearing.

Tom Terwall:

This is a matter for public hearing. Anybody wishing to speak?

Jean Werbie-Harris:

And there are representatives here, so we'd like to have them come up to the microphone, introduce themselves, and answer any questions.

Brandon Jeffries:

Good evening. My name is Brandon Jeffries. I'm available [inaudible] power plant to answer any questions that you have.

Tom Terwall:

Just for the record give us your address please.

Brandon Jeffries:

8000 95th Street.

Jean Werbie-Harris:

Brandon, when would this project start, and when do you think it will be completed out there.

Brandon Jeffries:

We are looking to start sometime in the middle of November. And we estimate completion will be by the end of summer.

Michael Serpe:

A couple questions if I may. A few years ago we approved an aqueous ammonia for the summertime use as I understand, not for wintertime, that was going to control some of the mercury. Is that still in effect.

Brandon Jeffries:

Aqueous ammonia is used in the plant to control NOx. That would be for any [inaudible]. There was a project [inaudible].

Michael Serpe:

Now, the standards that we're doing this for are today's standards, not the new proposed by the EPA.

Brandon Jeffries:

Yes, they are for today's standards [inaudible].

Michael Serpe:

And if the new standards come into play are you guys taking that into consideration with what you're doing today?

Brandon Jeffries:

[Inaudible]

Michael Serpe:

Okay, I was referring to the latest EPA recommendation by 2025 or something like that of the more stringent reduction by 34 percent or something like that.

Brandon Jeffries:

[Inaudible]

Michael Serpe:

Nothing to do with that. Okay, thanks.

Tom Terwall:

Thank you. Anybody else wish to speak? Anybody else? I'll open it up to questions from Commissioners and staff.

Wayne Koessl:

I have none.

Jim Bandura:

What's the chemical used?

Brandon Jeffries:

The chemical used is a [inaudible] 8034 plus [inaudible].

Jim Bandura:

And it's a liquid state?

Brandon Jeffries:

Yes.

Jim Bandura:

And so you have controls in place should by chance a leak comes about?

Brandon Jeffries:

Yes, the tank is equipped with a detection system that will detect [inaudible] operators that walk down the area at least twice a day [inaudible].

Tom Terwall:

What's the capacity of the tank?

Brandon Jeffries:

I believe the tank is a 15,000 gallon.

Tom Terwall:

And how is it delivered, by tanker?

Brandon Jeffries:

By tanker truck.

Tom Terwall:

What's the frequency of that?

Brandon Jeffries:

We anticipate deliveries every couple of months.

Jim Bandura:

And when they deliver it there's things in place to keep from accidents happening, am I correct?

Brandon Jeffries:

Yes, there will be [inaudible] truck driver and at least [inaudible].

Wayne Koessl:

Mr. Chairman, if there aren't anymore questions I would move we approve the Conditional Use Permit and the Site and Operational Plan subject to the attached comments and conditions of the Village staff being a part of October 26, 2015.

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY MICHAEL SERPE TO APPROVE THE CONDITIONAL USE PERMIT AND THE SITE AND OPERATIONAL PLAN SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you.

B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS to consider the request of Jay Maudlin, on behalf of Wisconsin Electric Power Company to add multi-media filtration or sand filters to the process in order to aid in filtration and removal of total suspended solids at the Pleasant Prairie Power Plant located at 8000 95th Street.

Jean Werbie-Harris:

Item B is a public hearing and consideration of a Conditional Use Permit including Site and Operational Plans to consider the request of Jay Maudlin, on behalf of Wisconsin Electric Power Company to add multi-media filtration or sand filters to the process in order to aid in filtration and removal of total suspended solids at the Pleasant Prairie Power Plant located at 8000 95th Street.

This is a matter for public hearing. And as part of the public hearing comments and the public hearing record the staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request. And I'll be presenting them below, and they're in your staff packets.

Findings of Fact

1. The petitioner is requesting approval of a Conditional Use Permit including Site and Operational Plans to add multi-media filtration or sand filters to the process in order to

aid in filtration and removal of total suspended solids at the Pleasant Prairie Power Plant. Exhibit 1 has the application and related materials related to this request.

2. The subject property is located at 8000 95th 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 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 as set forth in Exhibit 1:
 - a. The Pleasant Prairie Power Plant WPDES wastewater treatment system can process wastewater from three basins including the metal cleaning, low-volume and coal pile basins. The facility processes wastewater through a state of the art ultra-filtration system whereby a DOW membrane technology is used to filter wastewater to an acceptable discharge limit. Alternatively, for only the low-volume basin, the plant is permitted to conduct limited treatment in the basin, to check to ensure water meets acceptable permit limits and to discharge water. The multi-media filtration system is being designed to support both of these processes.
 - b. The multi-media filtration system will be located in a 34 foot by 60 foot steel building directly east of the existing wastewater treatment building. Its placement is approximately one mile due north of the east guard shack entrance. Since the building is at the northern edge of the property it is not visible from 95th Street. The building will be the same color and metal sided material as the wastewater treatment building. See Exhibit 2. Actually this past week they have submitted some revised building sizes to us, and this size is just going to increase slightly to 40 feet by 65 feet to allow for safe maintenance around the sand filters.
 - c. The multi-media filtration system is a very simple process. Water from the low-volume basin will be pumped directly through three sand filters to remove the total suspended solids. Electronic equipment called turbidity meters will monitor the suspended solids. If water exceeds control limits from the turbidity meter, the water will be rejected back to the low-volume basin. The system will consist of four sand filters, one filter will be a redundant; two booster pump backwash tank chemical feed skids and an air scour cleaning system.
 - d. Details on how the filtration equipment will operate will include:

Low Volume Water Basin Diversion and the Booster Pumping Systems: The existing diversion pumps located in the common low volume I coal pile basin pump house #2 will be used to pump low volume water basin wastewater to the new multi-media filtration system, whenever the turbidity of the low volume

water basin wastewater water is greater than the permit limits. The multi-media filtration system filtrate effluent will be pumped using a new filtrate storage tank and a set of filtrate booster pumps into an existing blowdown line that is routed to Lake Michigan.

Coagulant Dosing System: An approved coagulant chemical will be injected into the low volume water basin wastewater prior to the multi-media filtration system. This coagulant is designed to increase the filter's capability to retain the suspended particles within the filter media. There will be a single coagulant dosing system consisting of two chemical metering pumps each capable of delivering up to 2.0 gallons per hour. The chemical dose rate can be adjusted manually as well as automatically using the multi-media filtration control system.

Multi-Media Filtration Vessels: Each of the four multi-media filtration vessels will be capable of treating 367 gpm of low volume water basin wastewater. Three of the four multi-media filtration vessels will normally be operated at a time for a total flow rate of 1,100 gpm. Each vessel will contain a layer of anthracite 18 inches, a layer of filter sand 12 inches and a layer of garnet 12 inches in order to capture the various particle sizes of suspended solids that are present in the low volume water basin wastewater. The suspended solid concentration leaving the multi-media filtration vessels will be much lower than the established permit allowable levels.

Backwash System: After the differential pressure across a particular multi-media vessel attains a certain set limit, the filter is taken out of service to be backwashed using an air scour system or air blowers and a separate set of high rate backwash pumps. Filtered water that is always stored in the filtrate storage tank will be used to backwash the filter beds. After the backwash step, the clean filter beds are brought back to normal service filtering low volume water basin wastewater. The backwash water stream leaving each of the filters will be directed back to the low volume waste basin where it originated.

- e. **Purpose and Need for Project:** Some limited treatment of wastewater in the low volume basin is permitted by the Wisconsin DNR to use polymer to settle solids in the basin. When total suspended solids are elevated and the plant is unable to discharge water, polymer is used to settle the particulate. Batch treatment of the basin in this manner can be time consuming and typically takes several days. Due to the inherent delay, the basin is at risk of becoming overfilled. Many variables including rain, natural seasonal temperature changes and process changes can affect the basin's level. This project is being constructed to add flexibility to manage the low-volume basin level. Multi-media filtration or sand filters offers the ability to immediately process the basin no matter what weather conditions are present.

- 5. Notices were sent to adjacent property owners via regular mail on October 8, 2015, and notices were published in the *Kenosha News* on October 12 and 19, 2015.
- 6. The petitioner was emailed a copy of this staff report on October 23, 2015.

7. According to the Village's 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 as well as information presented this evening that the project as planned will not violate the intent and purpose of all Village Ordinance and it meets the minimum standards for granting of a Conditional Use Permit. Furthermore, the Plan Commission shall not approve a 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 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.

So with that I'd like to continue the public hearing and introduce representatives from the Power Plant to answer any questions that you may have for the project.

Jay Maudlin:

Good evening, Jay Maudlin with We Energies, and address is 8000 95th Street.

Tom Terwall:

Anything you wish to add?

Jay Maudlin:

No, sir.

Tom Terwall:

You're available to answer questions, is that correct?

Jay Maudlin:

Absolutely.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak? Anybody wishing to speak? Seeing none?

Jean Werbie-Harris:

I have a question. The first question is can you talk about the timing of your project, Jay?

Jay Maudlin:

Yes, the project would start in November and be complete approximately June 1.

Tom Terwall:

Anything else, Jean?

Jean Werbie-Harris:

No.

Jim Bandura:

Quick question. The media, the filtering system, the sand, the garnet and everything, how often do you see that needs to be changed?

Jay Maudlin:

Good question. We think that may be on the order of one year to perhaps up to three years. It depends on how aggressively we run the system.

Tom Terwall:

How do you get rid of it if you change it?

Jay Maudlin:

That would be vacuumed out by a vacuum truck. And it would be checked before it's disposed. But after we check, we run analysis on that material, we anticipate that that would be land filled.

Tom Terwall:

Okay, anything further?

Wayne Koessl:

I have none.

Michael Serpe:

I'd move approval of the Conditional Use and the Site and Operational.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JIM BANDURA TO APPROVE THE CONDITIONAL USE AND SITE AND OPERATIONAL PLANS

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.

C. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS to consider the request of William Tucknott for Rust-Oleum Corporation for the installation of a new propellant storage tank at their facility located at 8105 95th Street in LakeView Corporate Park.

Jean Werbie-Harris:

Item C is a public hearing and consideration of a Conditional Use Permit including Site and Operational Plans to consider the request of William Tucknott for Rust-Oleum Corporation for the installation of a new propellant storage tank at their facility located at 8105 95th Street in LakeView Corporate Park.

Again, this is a matter for public hearing, and I'll be reading the public hearing comments into the record. And as a part of the hearing record the staff has also compiled a listing of findings, exhibits and conclusions regarding the petitioner's request, and they are presented and described in our staff comments and before you.

Findings of Fact

1. The petitioner is requesting a Conditional Use Permit including Site and Operational Plans for the installation of a new propellant storage tank on the west side of the Rust-Oleum facility located at 8105 95th Street. This information is presented as Exhibit 1. If Peggy can use the laser she can show you specifically. It might be a little hard to read with that red lettering.
2. The property is identified as CSM #1203 located in a part of U.S. Public Land Survey Section 21, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-212-0355.
3. Pursuant to the application and as provided as Exhibit 1:
 - a. Rust-Oleum Corporation operates a paint manufacturing facility located in the Lakeview Corporate Industrial Park at 8105 95th Street. The facility produces a variety of both water-based and solvent-based coatings. The plant is made up of a few main areas. The bulk raw material storage tank farm is where liquid solvents and resins are stored. Powder raw materials such as color pigments are

stored in the receiving warehouse portion of the plant. These raw materials are then mixed together in tanks of varying sizes to make the finished paint product. The finished product is then filled and packaged on the plant's filling lines. The product can be filled into half-pint cans, quart cans, 1 gallon cans, 5 gallon pails or aerosol spray cans.

- b. This project involves the installation of a new propellant storage tank, 30,000 gallons. The propellant is filled into aerosol spray cans on all four of the aerosol packaging lines inside the building. The propellant to be stored in the new tank is identical to the propellant currently stored in the two existing storage tanks. However, the two existing tanks currently provide less than one day of safety stock. Adding this tank provides a buffer of available propellant.
 - c. To keep the existing tanks full there are on average two tank-wagon deliveries per day. Any problem like bad weather that delays a tank-wagon delivery has the potential to shut down production on all four aerosol filling lines.
 - d. The new storage tank will be located next to the two existing storage tanks and be contained within a locked fence enclosure. To make room for the new tank, two small unused tanks will be removed. Peggy is identifying those for you on the slide. The alternate fuel system will also be removed to make room for the tank. A new bulkhead for tank-wagon unloading to the new tank will be installed at the northwest corner of the storage tank area. The existing unloading bulkhead for the two existing tanks will be relocated to this same area. This will allow easier access for tank-wagon trucks. New crash protection bollards will be installed to protect the bulkhead and the south side of the fence enclosure.
 - e. The new tank will be enclosed inside a locked fence enclosure. Also, cameras are used to monitor the area. The propellant pump connected to the tank will be tied into the existing fire alarm system to automatically shut down in case of an emergency.
 - f. As there will be no significant change in our operations, the vehicular traffic of any type to and from the facility will remain unchanged.
- 4. The current zoning of the property is M-2, General Manufacturing District and High-Hazard Group H Uses within the District pursuant to Chapter 3 of the 2006 International Commercial Code are allowed within the District on this property with the approval of a Conditional Use Permit.
 - 5. An on-site inspection was conducted by Village staff on September 22, 2015. This information is provided as Exhibit 2. Photographs document the existing site conditions and locations for the new tanks.
 - 6. Previous Conditional Use Permits approved for this property include, and there are several of them:

- a. Kenosha County Resolution #94 was approved on July 27, 1988 for a Conditional Use Permit to operate the manufacturing, research and development facility for Rust-Oleum Corporation.
- b. Conditional Use Grant Document #92-009 was approved by the Village on November 11, 1992 for the storage of product on the site.
- c. Conditional Use Grant Document #95-017 was approved by the Village on November 6, 1995 to construct a 480 sq ft building to be used in the recovery of paint and propellant from returned/rejected aerosol containers.
- d. Conditional Use Grant Document #96-01 was approved by the Village on April 1, 1996 to construct housing for equipment used to inject propellant into aerosol cans.
- e. Conditional Use Grant Document #03-03 was approved by the Village on February 10, 2003 for the installation of a thermal oxidizer and the relocation of maintenance office, interior.
- f. Conditional Use Grant Document #07-01 was approved by the Village on April 9, 2007 to construct a 3,320 square foot addition for testing new products with proper temperature and humidity controls. In addition, the emergency access roadway was re-routed to accommodate the addition.
- g. Conditional Use Grant Document #12-07 was approved by the Village on October 8, 2012 to install a new aerosol spray-paint filling equipment that includes the installation of a 192 square foot pre-fabricated structure located on a concrete pad outside the rear of the facility that will house the required equipment that adds propellant to the cans.
- h. Conditional Use Grant Document #13-07 was approved on September 9, 2013 to install a new aerosol spray-paint can filling equipment that includes the installation of a 320 square foot pre-fabricated structure that will be located outside on a concrete pad in the rear of the facility that will house the required equipment that adds propellant to the cans.
- i. Conditional Use Grant Document #13-08 was approved on September 9, 2013 to install a new aerosol spray-paint filling equipment which includes the installation of a 192 square foot pre-fabricated structure that will house the required equipment that adds propellant to the cans outside of the rear of the facility.

So they have made a number of changes over the last several years since the original construction at the site.

7. Notices were sent to adjacent property owners via regular mail on October 8, 2015, and notices were published in the *Kenosha News* on October 12 and 26, 2015.
8. The petitioner was e-mailed a copy of this memo on October 23, 2015.

9. According to the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials that the project as planned, will not violate the intent or purpose of the Village Ordinance and it 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 the satisfaction of any conditions of approval, will comply with the 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 and site conditions.

So with that I'd like to introduce representatives from Rust-Oleum to come to the podium to answer any questions that you may have. And my first question is always going to be what's the timing of the project, Bill?

Bill Tucknott

Hi. Bill Tucknott from Rust-Oleum, 8105 95th Street. And timing of the project we'd be starting in early November and finishing up in mid-December.

Tom Terwall:

Anything else you wanted to add?

Bill Tucknott:

Nope.

Tom Terwall:

Anybody in the audience wishing to speak? Hearing none I'll open it up to comments from Commissioners and staff and I'll begin. What is the propellant?

Bill Tucknott:

It's a mixture of propane and butane.

Tom Terwall:

So it's combustible, is that correct?

Bill Tucknott:

Yes.

Tom Terwall:

Have you ever had any accidents?

Bill Tucknott:

Nothing serious, no.

Jim Bandura:

You are aware of the conditions needed [inaudible] seems that there's a lot of maintenance that needs to be taken care of, correct?

Bill Tucknott:

Correct. Yeah, we did see the conditions and agree with all those.

Tom Terwall:

You don't see any change as a result, but it's just going to be a continuation of an existing process increasing the capacity, is that correct?

Bill Tucknott:

Exactly. It's the same exact propellant as we currently have. It's just giving us more capacity of our existing propellant.

Wayne Koessler:

I really have no questions. I'm just happy to see that the staff and the fire department reviewed it, and that settles my mind. So it's just good business to have a backup system so you don't have to shut down your line. With that, Mr. Chairman, I'll move that we approve the Conditional Use Permit and the Site Plan subject to the conditions and the comments made by staff on October 26, 2015.

Jim Bandura:

I'll second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO APPROVE THE CONDITIONAL USE PERMIT INCLUDING THE SITE AND OPERATIONAL PLAN SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. ADJOURN.

Michael Serpe:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

All in favor?

Voices:

Aye.

Tom Terwall:

Opposed? We stand adjourned.

Meeting Adjourned: 7:05 p.m.

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
November 9, 2015**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on November 9, 2015. Those in attendance were Thomas Terwall; Michael Serpe; Wayne Koessl; Deb Skarda (Alternate #2); Jim Bandura; and Bill Stoebig (Alternate #1). Donald Hackbarth and Judy Juliana were excused. Also in attendance were Michael Pollocoff, Village Administrator; Tom Shircel, Assistant Administrator; Jean Werbie-Harris, Community Development Director; and Peggy Herrick, Assistant Zoning Administrator.

1. CALL TO ORDER.

Tom Terwall:

Before we begin with our regular agenda, however, I'm going to ask for a moment of silence since we lost a 25 year member of the Plan Commission last week whose picture is right up there, John Braig. He was very active in the Village. In addition to serving on the Plan Commission he was also on the Board of Review and he'll be missed. So I'm going to ask for a moment of silence and then we'll begin. Thank you.

2. ROLL CALL.

3. CORRESPONDENCE.

4. CITIZEN COMMENTS.

Tom Terwall:

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

5. NEW BUSINESS.

A. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT for the request of David Falk, owner of the property located at 5304 Springbrook Road to rezone the portion of the property that is currently zoned R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District into the A-2, General Agricultural District so that the entire property will be zoned A-2.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, the first item is a consideration of a Zoning Map Amendment for the request of David Falk, owner of the property located at 5304 Springbrook Road to rezone the portion of the property that is currently zoned R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District and place the entire property into that A-2, General Agricultural District, so that the entire property will be zoned A-2. And the property is identified on the slide.

Specifically, the petitioner then is requesting is rezone the portion of his property located at 5304 Springbrook Road that is currently zoned R-4 (UHO) Urban Single Family Residential District with an Urban Landholding Overlay District, into the A-2, General Agricultural District, so that the entire property will be zoned A-2.

The area surrounding this property is also zoned A-2, General Agricultural or A-3, Limited Agricultural with some smaller lots adjacent to Springbrook Road that are zoned R-4. The petitioner's property is over 17 acres with over 750 feet of frontage on Springbrook Road. The lot meets the minimum requirements of the A-2 District which requires lots to be a minimum of ten acres with a minimum of 300 feet of frontage on a public road. At this time there are no urban services such as municipal sanitary sewer or municipal water on Springbrook Road that service the property. In addition, the rezoning of the property would allow for the existing agricultural uses on the property to be classified as legal conforming uses.

Municipal water is proposed to be extended within Springbrook Road adjacent to this property. The Board will be considering this extension in early 2016. It is anticipated that this would be a deferred assessment without mandatory connection. The proposed Zoning Map Amendment is consistent with the Village's Comprehensive Land Use Map, and this property is located in the Urban Reserve Designation so no amendment to the Land Use Plan Map would be required at this time. So with that I'd like to continue the public hearing.

Tom Terwall:

Is there anybody wishing to speak on this matter? Anybody wishing to speak? Is the petitioner present?

David Falk

Right here.

Tom Terwall:

Was there anything you wanted to add, sir?

David Falk

No.

Tom Terwall:

Comments and questions from Commissioners and staff?

Wayne Koessler:

Mr. Chairman, I move that we approve the Zoning Map Amendment and send a favorable recommendation to the Village Board.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you.

B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS AND A DIGITAL SECURITY IMAGING SYSTEM AGREEMENT AND ACCESS EASEMENT for the request of Jim Hooper, agent for the proposed construction of a full service Educators Credit Union (with a drive-thru) on the vacant property generally located at the northeast corner of STH 50 and 91st Avenue.

Jean Werbie-Harris:

Mr. Chairman, I would ask that Items, B, C and D all be taken up at the same time. I'll be making one presentation although separate action on the items will be required.

Michael Serpe:

So moved.

Wayne Koessler:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY WAYNE KOESSL TO COMBINE ITEMS B, C AND D FOR THE PURPOSES OF DISCUSSION WITH SEPARATE VOTES ON EACH ONE. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- C. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AND TEXT AMENDMENT for the request of Jim Hooper, agent Educators Credit Union to rezone the vacant property generally located at the northeast corner of STH 50 and 91st Avenue from B-2, Community Business District to B-2 (PUD), Community Business District with a Planned Unit Development Overlay District and Zoning Text Amendment to create the specific PUD requirements for the proposed development.**

- D. CONSIDER APPROVAL OF A DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS for the proposed public improvements associated with the development of the Educators Credit Union on the vacant property generally located at the northeast corner of STH 50 and 91st Avenue.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item B on the agenda, public hearing and consideration of a Conditional Use Permit including Site and Operational Plans and a digital security imaging system agreement and an access easement. And this is at the request of Jim Hooper, agent for the proposed construction of a full service Educators Credit Union with a drive-thru on the vacant property generally located at the northeast corner of Highway 50 and 91st Avenue.

Item C, public hearing and consideration of a Zoning Map and Text Amendment for the request of Jim Hooper, also agent for Educators Credit Union to rezone the vacant property generally located at the northeast corner of Highway 50 and 91st Avenue. And this would be rezoned from the B-2, Community Business District, to B-2 (PUD), which would be a Community Business District with a Planned Unit Development Overlay District and also Zoning Text Amendment to create the specific PUD requirements for the proposed development.

And Item D, consider approval of a development agreement and related documents for the proposed public improvements associated with the development of the Educators Credit Union on the vacant property generally located at the northeast corner of Highway 50 and 91st Avenue.

And as I mentioned previously, these items are related and will be discussed at the same time, however separate action is needed by the Plan Commission.

Under the public hearing comments, again, this is part of a conditional use so the finding of facts needs to be recorded as part of the public hearing record. And the staff has compiled a listing of those findings, exhibits and conclusions, and this is regarding the petitioner's request, and they are described below:

Findings of Fact

1. On May 4, 2015, the Village Board conditionally approved a Conceptual Plan for the proposed construction of a 7,280 square foot full service Educators Credit Union on the vacant property generally located at the northeast corner of Highway 50 and 91st Avenue in the Westfield Heights commercial area.
2. The property is known as Lot 21 of the Westfield Heights Subdivision. It's located in U.S. Public Land Survey Section 5, Township 1 North, Range 22 East of the Fourth Principal Meridian, in the Village of Pleasant Prairie, Kenosha County, Wisconsin and further identified as Tax Parcel Number 91-4-122-054-0321.
3. At this time the petitioner is requesting several approvals for the proposed Educators Credit Union development including: Site and Operational Plans, Conditional Use Permit for the drive thru facility, a Digital Security Imaging System referred to as a DSIS Agreement and DSIS Access Easement, and Zoning Map and Text Amendments.
4. The current zoning of the property is B-2 (UHO), Community Business District with an Urban Landholding Overlay District. The proposed Educators Credit Union is a permitted use in the B-2 District; however, a Conditional Use Permit or a CUP is required for the proposed drive thru which includes an ATM and interactive teller technology for transactions. Exhibit 1 in our packets of information and on the slides contains the Site and Operational Plan and Conditional Use Permit Application and all the related documents.
5. Pursuant to Exhibit 1:
 - a. Educators Credit Union is a full service financial institution serving members in southeastern Wisconsin since 1937 offering savings and loan products as well as investment opportunities to individuals and small businesses. ECU is committed to educating and advising members of their options and helping them make sound financial decisions. Branch transactions range from quick deposits and payments to more comprehensive interactions such as loan applications and account openings.
 - b. Transactions will be conducted in person with the branch staff for detailed situations such as purchasing certificates, processing loan applications and general account maintenance. Additionally, transactions such as deposits, payments and cash management will occur through an interactive teller technology and video assisted transactions. This technology provides terminals

that look just like ATMs but have a touch screen video for interacting with tellers located at ECU's Home Office in Mt. Pleasant. The drive thru terminals are the same interactive teller type and are both filled with cash by an armored car service.

- c. Anticipated hours of operation:
 - Monday through Friday 8-7, lobby only 9-5
 - Saturday 8-3, lobby only 9-noon
- d. No regular scheduled shipments will be scheduled at the locations although intermittent supply deliveries will occur as needed. Cash shipments and machine maintenance will be provided on the site on an as needed basis which is anticipated to be no more than one to two times per week.
- e. Total number of employees is anticipated to be six full-time employees. One shift will be run with four to six employees working during this shift. The maximum number of employees on the site at any time of the day would be eight to ten which would include any maintenance employee or office staff temporarily assigned to the office.
- f. There are 39 parking spaces provided including two handicapped accessible spaces. Pursuant to the Zoning Ordinance the minimum number of parking spaces required is one space for each 200 square feet of usable floor area, plus eight stacking spaces for the first drive-in window and six stacking spaces for each additional window. Each waiting space shall measure not less than 20 feet in length, plus the required handicapped accessible spaces pursuant to the State Code.
- g. The anticipated daily average automobile trips to and from the site would be approximately 300 with a maximum potential of 700 on high volume transactional days. The potential maximum would not be expected until office has been well established for three to five years. These numbers are initially based on historical transactions from nearby locations and other new office trends.
- h. The anticipated daily average number of truck trips to and from the site would be at most one trip a day. Most weeks would have only two to three days where trucks would visit or deliver to the site. These deliveries would be for intermittent supply deliveries and armored and bonded cash delivery trucks. Each visit typically lasts about five to ten minutes.
- i. Pursuant to the application the site and building will be monitored using video recording equipment through Exactvision. Recording and playback is monitored for functionality daily. Recorded video history for all camera placements is stored for no less than 90 days. The building has full alarm protection including the burglar alarm and motion sensors for the property along with a fire alarm and flow switch alarms on the sprinkler system, and elevator emergency phone monitoring which is monitored 24/7 by Priority One. The development will be

required to comply with the Village's Security Ordinance which includes that DSIS Agreement and DSIS Access Easement for the Village.

6. Zoning Map and Text Amendments. The property is proposed to be rezoned from the B-2 (UHO), Community Business District with an Urban Landholding Overlay District to the B-2 (PUD). So it will have the same underlying district but now with a Planned Unit Development Overlay. Developing the property as a PUD will allow more flexibility with some of the dimensional requirements of the Village Ordinance provided that there is a defined benefit for the community. Exhibit 2 has the application; Exhibit 3 has the proposed PUD Text Amendment Ordinance; and Exhibit 4 has the proposed Zoning Map Ordinance.
 - a. The modifications from the Zoning Ordinance that are to be included in the PUD includes:
 - i. Reduce the minimum lot area in the district from 2 acres to 1.47 acres.
 - ii. Reducing the fire access lane one way travel lane around the south side of the building from the required 30 feet to 20 feet.
 - iii. To allow for an off-premise unified business development signage for the other commercial development within the Westfield Heights Commercial area to be constructed. And this would be constructed by Bear Realty/ Bear Development. This sign will be allowed to be a maximum of eight feet high and 50 square feet in area per side. The specific design and details of the sign shall be submitted for review and approval as part of the PUD. And, again, this will be to advertise the other commercial areas to the north of the ECU property.
 - b. And then finally as part of the Text Amendments as part of the PUD, the building shall be fully equipped with a fire sprinkler and fire protection system; a DSIS system shall be installed and operational for the site, public improvements within the right-of-way. And specifically 91st Avenue which I'll be discussing below will need to be completed. And the owner shall also agree to the assessment language as set forth in the Development Agreement.
7. With respect to the public improvements and Development Agreement, as part of this development and part of the required community benefit for the project, the Village will require public sidewalks. Again, they'll need to be installed by a Village approved contractor, and these will need to be extended within the right-of-way and through the proposed driveways from the southern terminus along 91st Avenue westward with a handicapped accessible ramp connecting to 91st Avenue street pavement in order to provide that complete connection. At some point there will be additional sidewalks on Highway 50, and we want to make sure those connections are available to that when that does happen.

Also, the additional public improvements also include three street trees along 74th Street and to relocate or replant one of the trees from the north from the corner of 91st and 74th

Street again by a Village approved contractor within the parkway area. And then all grass mowing in the terrace areas and maintenance of the street trees, re-mulching that's all going to be the owner's responsibility.

- a. The Development Agreement addressing the owner's agreements and obligations to the Village, and it's required to be executed prior to the issuance of building permits. Exhibit 5 is the draft Development Agreement which we'll be finalizing with Educators Credit Union.
 - b. Contractor's estimates and insurance certificates shall be provided to the Village as exhibits to the Development Agreement. In addition, a Letter of Credit or a cash payment for financial security will be required, and that needs to be submitted in order to guarantee that the these public improvements are completed.
8. A Digital Security Imaging System or DSIS Agreement and Easement: Pursuant to Chapter 410 of the Village Municipal Ordinance the development is required to comply with the Village's Security Ordinance. The DSIS will afford the opportunity for the public safety departments including the Police Department and the Fire & Rescue Department to visually examine commercial establishments and their sites and will provide emergency response personnel with a visual assessment of any emergency situation in advance of arrival without placing an undue burden on the Village taxpayers.

The attached DSIS Agreement and Access Easement which is shown as Exhibit 6 and 7 shall be finalized, executed by the owner and the system installed by the owner. Following the owner's installation, the Village will inspect the system and verify its accessibility. The DSIS shall be owned, operated and maintained by ECU. The Agreement and associated Access Easement shall be executed and the Easement recorded prior to obtaining building permits for the project. The system shall be inspected and operational to the Village's satisfaction. And then this, again, is prior to the Village granting any verbal occupancy.

9. Notices were sent to adjacent property owners via regular mail on October 22, 2015 and notices were published in the *Kenosha News* on October 26 and November 2, 2015 related to the Conditional Use Permit application.
10. The petitioner was e-mailed a copy of this memo on November 6, 2015.
11. According to the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application, related materials and the information presented this evening that the project as planned will not violate the intent and purpose of the Village Ordinance, and it also meets the minimum standards for the granting of a Conditional Use Permit. Furthermore, the Plan Commission shall not approve a 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, water , stormwater management, noise, street, highways and fire protection.

So with that I would like to continue the public hearing.

Tom Terwall:

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

Jean Werbie-Harris:

Jim would from Educators Credit Union.

Tom Terwall:

Come to the microphone please. I need your name and address for the record.

Jim Hooper:

Sure. Jim Hooper, Educators Credit Union, 5921 South Quality Avenue, Cudahy, Wisconsin. I'm an employee and a principal of the credit union. I just wanted to say thank you. We were here prior for the initial and just hope that we can continue forward and approval for final. We've still got a lot to do so a lot of approvals to be made, but it's moving along.

Tom Terwall:

And you received a copy from Ms. Werbie have you not?

Jim Hooper:

Yes I have.

Tom Terwall:

No questions?

Jim Hooper:

No questions at this time. We're actually meeting on Wednesday at one o'clock. There were just a few simple things that we needed to verify, that's all. But the actual basis of this document is proper.

Tom Terwall:

Thank you. Anybody else wishing to speak? Jean?

Jean Werbie-Harris:

I also wanted to mention that they brought all, which was very nice, all of their sample materials in addition to what they had on the board, that the staff was able to inspect this afternoon. And I believe many of you might have seen these when you came in this afternoon. So all of their samples and their details are over on that adjacent table.

Tom Terwall:

Have you selected a general contractor yet?

Jim Hooper:

Yes, we have, Bukacek Construction out of Racine.

Tom Terwall:

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

Michael Serpe:

This is not related to the building itself, but do any of your credit unions or any banks that you know of have any shields that separates the public from the tellers?

Jim Hooper:

We do have a few. We've moving away from that. That's what Jean referred to as that ITM, interactive teller technology. Basically the teller is actually on the screen, and the cash is not being passed back and forth through windows or open counters like in the past. It spits out of an ATM out of a little slot. And it kind of stops the viewing of all the vaults and all the cash and everything that's behind the teller line currently. We're using that at two branches already, the one in Sturtevant on Highway 20 and the one up in Milwaukee on Center Street. And there are no issues whatsoever. The two locations that we have what you've referred to as the bullet resistant glass, one is in Milwaukee and the other one is on Appleton Avenue also in Milwaukee, very high crime areas.

Michael Serpe:

It's unfortunate we have to look at things like this. But it's not going to get any better that I see it.

Jim Hooper:

The one that's on Appleton Avenue that has the glass actually unfortunately was robbed a couple weeks ago. And it was a note passer, just slid the note underneath the window. And he has been caught because we have such great video.

Michael Serpe:

I'd be looking at the protection for the teller. If they get away with the money, fine, not fine but at least the teller is not injured.

Jim Hooper:

No, she wasn't. She was actually not even shaken up. She has been through the process before.

Tom Terwall:

Thank you. Anything else? If not I'll entertain a motion to approve the Conditional Use Permit including the Site and Operational Plan subject to the terms and conditions outlined in the staff memorandum.

Michael Serpe:

I'll make that motion.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JIM BANDURA TO ADOPT THE CONDITIONAL USE PERMIT WITH THE SITE AND OPERATIONAL PLAN.

Jean Werbie-Harris:

Including the Digital Security Imaging System Agreement and Access Agreement.

Tom Terwall:

Yes. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Then we'll move ahead to Item C, consideration of a Zoning Map and Text Amendment.

Wayne Koessl:

I'd so move, Chairman.

Deb Skarda:

Second.

Wayne Koessl:

Subject to the conditions and comments made by staff report on November 9, 2015 and refer to the Village Board.

Deb Skarda:

Second.

Tom Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY DEB SKARDA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AND TEXT AMENDMENTS 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. And Item D we need a motion to send a favorable recommendation to the Village Board to approve the development agreement and related documents.

Jim Bandura:

So moved.

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY MICHAEL SERPE TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS

SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you.

- E. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS AND A DIGITAL SECURITY IMAGING SYSTEM AGREEMENT AND ACCESS EASEMENT for the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for the construction of two (2) multi-tenant retail/restaurant buildings (with outdoor seating and a drive thru) on the property generally located at the southeast corner of STH 50 (75th Street) and 94th Avenue within the Prairie Ridge development to be known as The Bulls-Eye Development.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item E is the public hearing and consideration of a Conditional Use Permit including Site and Operational Plans and a Digital Security Imaging System agreement and Access Easement. And this is at the of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for the construction of two multi-tenant retail/restaurants with outdoor seating and a drive thru buildings that are on the property generally located at the southeast corner of Highway 50 or 75th Street and 94th Avenue within the Prairie Ridge development to be known as The Bulls-Eye Development.

Again, this project also does require a Conditional Use Permit, so as a result as part of the public hearing record the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request, and I'll be describing those for the public record.

Findings of Fact

1. The petitioner is requesting approval of a Conditional Use Permit including Final Site and Operational Plans and a Digital Security Imaging System Agreement referred to as a DSIS and a DSIS Access Easement for the construction of two multi-tenant retail/restaurant buildings with outdoor seating on the property generally located at the southeast corner of Highway 50 and 94th Avenue within the Prairie Ridge development to be known as the Bulls-Eye Development. Exhibit 1 is a copy of the application and the plans.
2. The property is known as Outlot 21 of the Prairie Ridge Subdivision, located in U.S. Public Land Survey Section 8, Township 1 North, Range 22 East of the 4th Principal Meridian, in the Village of Pleasant Prairie, Kenosha County, Wisconsin and further identified as Tax Parcel Number 91-4-122-081-0210.

3. Previous Village approvals and conditions of the Conditional Use Permit:
 - a. The Conceptual Plan was conditionally approved by the Village Board on June 1, 2015 for the development of Outlot 21 to be known as The Bulls-Eye Development that included two multi-tenant retail/restaurant buildings.
 - b. Certified Survey Map to subdivide the property into lots for the development of the two multi-tenant retail/restaurant buildings was conditionally approved by the Village Board on July 20, 2015. Lot 1 will be 1.034 acres in area with a building address of 9370 76th Street, Pleasant Prairie, Wisconsin. And Lot 2 will be 0.977 acre in area with a building address of 9330 76th Street in Pleasant Prairie. The CSM is required to be finalized, executed and recorded at the Kenosha County Register of Deeds Office prior to issuance of any building permits.
 - c. The Zoning Text Amendment, this is Ordinance 15-22 was approved by the Village Board on July 20, 2015 for the specific Planned Unit Development requirements for the development, and this is provided for you in Exhibit 2). Note Ordinance 15-22 cannot be finalized until the CSM is recorded at the Kenosha County Register of Deeds Office. And we will then take care of all of those things at the same time.
 - d. Preliminary Site and Operational Plans were conditionally approved by the Plan Commission on July 13, 2015. And this was for the petitioner to begin mass grading, to install underground utilities and to install early footing and foundations for both buildings. Construction began in October with the Village's Erosion Control and Work in the Right-of-Way Permits having been issued for this work to commence.
4. Pursuant to the application in Exhibit 1:
 - a. The Bulls-Eye Development will be providing two free standing buildings for commercial use, one on Lot 1 at 9370 76th Street and one on Lot 2, 9330 76th Street.
 - b. Building A is a proposed 6,250 square foot building with two tenants and will be constructed on Lot 1 of the CSM. Parking calculations are based upon the following, and these are the tenants for that building in building A.
 - i. Mattress Firm - retail sales
Hours of operation - 10 am - 8 pm
Square footage - 3,000 sf of Primary Floor Space
Number of total employees - 2
 - ii. Chipotle- restaurant, fast-casual, with outdoor seating
Hours of operation - 11 am - 10 pm
Square footage - 2,250
Number of employees on the largest work shift - 8

- c. Building B is a proposed 7,370 square foot building with three tenants to be constructed on Lot 2 of the CSM. Parking calculations are based upon the following:
 - i. Five Guys - restaurant, fast-casual, with outdoor seating
Hours of operation - 11 am - 10 pm
Square footage - 2,400 sf
Number of employees on the largest work shift - 7
 - ii. Proposed Dental Office
Hours of operation- TBD but estimating between 9 am - 6 pm
Square footage - 1,920 sf Primary Floor Space
Number of total Dentists - 1
Number of employees on the largest work shift - 5
 - iii. Potbelly Sandwich Shop -restaurant, fast-casual with a drive-thru and outdoor seating
Hours of operation - 11 am - 9 pm
The tenant requires a maximum 5 car stacking lane
Square footage - 2,400 sf
Number of employees on the largest work shift - 8

- 5. Site Access: Lots 1 and 2 of the proposed CSM will share one access driveway to 76th Street on the east side of Lot 2. This driveway will also provide access to the development of the adjacent Outlot 20 pursuant to the Conceptual Plan. A second 76th Street driveway will access Outlot 20 to the east and provide cross access through the development area north of the 76th Street between 91st and 94th Avenues back to Outlot 21.

- 6. Parking: The development sites include 109 parking spaces which includes five handicapped accessible parking spaces. Pursuant to the Village Zoning Ordinance the number of parking spaces required for the specified tenants is listed below, and I will identify those for you.
 - a. Restaurants require a minimum of one space for each 100 square feet of floor area plus one space for every two employees on the largest work shift so 83 spaces are required.
 - b. Retail stores require a minimum of one space for each 200 feet of primary floor area plus one space for every two employees. Per the site and operational plan 16 spaces are required.
 - c. Medical and dental offices require a minimum five spaces for every doctor plus one space for every employee. Per the site and operational plan 10 spaces are required.
 - d. In addition, to these minimum parking spaces, five handicapped accessible parking spaces are required by the State Code.

Based on the foregoing information the total number of parking spaces required is 109, plus 5 handicapped accessible parking spaces, which means 114 spaces are needed. Therefore the on-site parking is short by five parking spaces.

The Planned Unit Development (PUD) Overlay Zoning Ordinance which is identified as Exhibit 2 allows the development to meet the minimum parking requirements off-site by utilizing an adjacent/nearby property. To promote safe vehicular and bicycle traffic circulation in the Prairie Ridge development area, the Village will not permit regular parking on the adjacent/nearby roadways. And by that I mean they can't park on a regular basis on 91st and 94th Avenues or 76th Street, 75th Street or 77th Streets.

The owners, D3 Pleasant Prairie, LLC, have received confirmation that they will be able to use a local church's property, St. Anne, for employee and construction personnel parking if they need to as well as regular parking. They just told me this evening that they actually obtained approval from the nearby Costco to park in their northern parking lot area adjacent to this development for their construction vehicles as well as for their grand openings and their ribbon cutting events. Is that correct? So they have the parking covered in various locations.

7. The owners have agreed that no new land uses other than those specifically identified in this memorandum, which require a greater demand or intensity of parking based upon the Village's Zoning Ordinance parking space requirements shall be allowed for new occupancy in The Bulls-Eye Development unless permanent, off-site parking adjacent to the site has been secured.
8. The owners have agreed to pay a property tax based upon a baseline assessed value of the real estate never falling below all of the cumulative costs of the development including land acquisition, site improvements, financing costs and building construction. In a year the assessed value of the property falls below the baseline value the property owner agrees to pay the Village a payment determined by multiplying the municipal portion of the net property tax rate by the difference between the current assessed value and the baseline value. Once I'm done with all the presentation of the finding of facts, either Mike Pollocoff or I could explain that one a little bit further for you.
9. Compliance with the recorded Cross-Access Agreement between the owners of Outlots 20 and 21 is required. They have recorded that cross-access easement already.
10. Outdoor seating areas shall be surrounded and enclosed with a fence with brick pillars acting as bollards to define the outdoor eating areas and to ensure protection of the patrons from cars in the adjacent parking lot area.
11. The DSIS Agreement and Easement: Pursuant to Chapter 410 of the Village Municipal Ordinance the development shall comply with the Village Security Ordinance. The DSIS will afford the opportunity for the public safety departments which are the Village Police Department and Village Fire & Rescue Department to visually examine commercial establishments and their sites and will provide emergency response personnel with a

visual assessment of any emergency situation in advance of arrival without placing an undue burden on the Village taxpayers.

The attached DSIS Agreement and Access Easement which is provided as Exhibits 3 and 4, and I believe that they're using Dakota Security for theirs, shall be finalized, executed by the owner and the system installed by the owner. Following the owner's installation of the DSIS, the Village will inspect the system and verify its accessibility and operation of the system. The DSIS will be owned and operated by The Bulls-Eye owners. The agreement and associated access easement shall be executed and the easement recorded prior to obtaining building permits for the project. The system shall be inspected and operational to the Village's satisfaction prior to verbal occupancy.

12. The detailed Site and Operational Plans and related documents for the retail shell buildings and exterior site improvements have been reviewed by the Village staff and are subject to the conditions as set forth in this memorandum. With the exception on the next page 1.j.i. where it addresses fire protection for the west building shall be provided by the water service that the building separate FDC for each building. We have worked all of those issues out with the Fire Department, and their plans reflect exactly where their FDC and their connections should come from. We must have miscommunicated with the public works department. So that is one exception because that comment is going to be coming out.
13. Notices were sent to adjacent property owners via regular mail on October 22, 2015, and notices were published in the *Kenosha News* on October 26 and November 2, 2015 related to the Conditional Use Permit.
14. The petitioner was e-mailed a copy of this memo on November 6, 2015.
15. According to the Village's Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials that the project as planned, will not violate the intent and purpose of the 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 your decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements and all other 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, highways and fire protection.

So with that this is a public hearing since a Conditional Use is a part of this request this evening.

Tom Terwall:

Is there anybody wishing to speak?

Jean Werbie-Harris:

The petitioner would like to come up.

Tom Terwall:

Please.

Tim Dearman:

Tim Dearman, principal with D3. We're just very excited to be a part of the community.

Tom Terwall:

Give us an address for the record.

Tim Dearman:

Address 3841 Green Hills Village Drive, Suite 400, Nashville, Tennessee, 37215.

Tom Terwall:

Thank you.

Tim Dearman:

We've got developments in Chicagoland and about 24 states throughout the country. And we're just very excited about the tenants that we're bringing here and being a part of the community. It's been a great working relationship. I don't have anything to add about what we're doing. I think it's going to be a beautiful development.

Tom Terwall:

Welcome. We'll be calling you cheesehead from now on. Anybody else wishing to speak? Anybody else? Seeing none I'll open it up to comments.

Michael Serpe:

I'd like to ask either Rocco or Mike to talk on Item Number 8 a little bit. I know this has been in the newspaper. It's been in our Village thing, but I think it's something, and I'm not saying this company is going to take us to task on this, but it's something that's happening across this country, and it's hurting municipalities and especially the homeowners that have to pick up the difference on taxes that companies challenge the municipality's assessments. Mike or Rocco?

Mike Pollocoff:

In essence what the Village is working to accomplish here is it's an obvious outgrowth of recent court decisions that have been occurring. It really attempts at gaining court decisions in

Wisconsin. This has occurred in Michigan to a large extent and a somewhat smaller extent in Indiana. But it's been exercising what almost looks like a loophole where as say the Target business which is very close to where they are we had a value set for them around \$13 million which we felt was representative of the market, what the market was delivering. And retail companies have been using, in the case of Target, they said compare our state of the art Target retail store to an abandoned store. They asked for a comparison to an abandoned Wal-Mart that's on 52nd as well as some other Wal-Marts that existed. And those stores were at \$6 million.

And their logic was that once we're done using this facility for however long that takes, when we go to sell it we're only going to be able to sell it for what that abandoned Wal-Mart is going to be sold for. So for property tax purposes consider that that's all it's every going to be worth. The fact that we generate income and use and it's desirable and it's in a location that produces customers should not be considered in establishing the value. And what we're saying here is we don't want to be unreasonable about it, but rather than use that as the argument in determining value we're saying -- we've set a threshold where the building permit is so the value of constructing that value actually is such that if values as a whole drop then values as a whole drop. But to artificially say compare our newer facility or a successful facility to one that was abandoned because it could not be a success it represents something that we feel doesn't really uphold the uniformity or the equity of the property assessment in the Village or in the State.

In the State of Michigan virtually municipal services have been undone by this. They're closing libraries, shutting down fire stations. Because what happens is when that tax is shift in the case of say if Target was to prevail, somebody has still got to pay for the service. So it gets shifted to the existing residential users or to a smaller business. So that in this case you take a Target and you might say a True Value or a local clothing store couldn't compete with them on a volume basis, and then they also can't compete with them on a tax basis. And Target could outsell them or secure better prices on their goods. And then they can also secure a better price because it's a legal effort to get this done, and most people aren't able to afford the legal process to do that. But once it takes hold then it starts being spun off to everybody.

Tom Terwall:

Has that gained any traction in Wisconsin?

Mike Pollocoff:

It has in some areas, and in some leased properties there's been some court decisions. And in some communities you'll have a contract assessor who is going to value property at \$15 a parcel, and that doesn't include fighting with somebody who wants to lower their assessment. So there's a certain amount of uncertainty in there. We're in contact with State legislators. We're not saying that commercial property should be valued at any higher than we value anyplace else. It's just that their value should be determined by the marketplace, not by the value of an abandoned store that was unsuccessful. And that's what's being attempted here.

Tom Terwall:

Couldn't the homeowner in Michigan claim his property was valued the same as a Detroit home would be?

Mike Pollocoff:

Well, he probably could have, but the problem is you still need to be willing to go to court to make that case, and that's what happens. So I think that this is just an important issue. Like you say it's to make sure there's equity among the taxpayers on how their property assessments are right. If everybody wants to come up with a way to paying property taxes then you've got to change the whole system. Or you've got to come up with a new method of public financing. But to kind of rig the game so that somebody can do it, an attorney can do it that isn't right.

One of the attorneys that's doing this right has 200 cases in Wisconsin. He's got 200 clients that he's representing. And the attorney will go in and say I can get your taxes cut by 50 percent, I'll take a percentage for three years after that. In that case it's no money out for the owner. What have they got to lose? And if he makes it he makes it. It's just a way where the system has been gamed. And it doesn't fit with the equity or justice that you try to maintain on assessing. Assessing is a difficult subject. Everybody is sensitive about it. But I think we have to be able to present to the Village residents and the Village businesses that it's a uniform system and it's fair, and we don't have any artificial adjustments for property tax purposes, but we have real numbers for other purposes. That's I guess in a nutshell what's going on.

Tom Terwall:

Any other questions?

Wayne Koessler:

The only comment I have is if they want to be assessed as an abandoned building the only service we should give them is fire protection.

Mike Pollocoff:

Right. And if we could do that we can't do that.

Wayne Koessler:

But that's what they deserve.

Mike Pollocoff:

And so the other thing is in Wisconsin we're under levy limits. So the money we collect from day one we can't raise it for anybody else. So it makes it hard to compensate for one of these things when it happens.

Michael Serpe:

Mike, I guess this number 8 that was spelled out by Jean is probably going to appear on everybody coming in for approvals on every business. So we're not picking on just you. It's

going to be everybody coming forward because of the climate that's taking place in Wisconsin and really across the nation.

Jean Werbie-Harris:

Everyone's project tonight has it.

Deb Skarda:

Is there any intention for any of those three restaurants to serve alcohol?

Tim Dearman:

I want to say that they do sell beer and wine, but I'm not 100 percent sure. Chipotle does sell beer and wine.

Jean Werbie-Harris:

So they'll need to go before the Village Board for a special license to serve.

Tim Dearman:

They handle that themselves. We have to have that completely fenced in and [inaudible]. They do that even when it's not required. They do that on their own I think because of the alcohol.

Deb Skarda:

Do you have a plan on when these stores will be opening?

Tim Dearman:

We're not building at the best time of year, we understand that. We did some suburban Chicago last winter. We think we'll probably be delivering these late May, early June, right in that range. And some of these tenants have that we've turned space over to can open as quickly as two weeks from delivery. Others may take two months to get everything working and employees trained.

Tom Terwall:

Thank you. If there's nothing further a motion to approve or disapprove is in order.

Bill Stoebig:

So moved.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY BILL STOEBIG AND SECONDED BY JIM BANDURA TO APPROVE THE CONDITIONAL USE PERMIT INCLUDING A SITE AND OPERATIONAL PLAN WITH THE DSIS 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. Welcome.

F. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS AND A DIGITAL SECURITY IMAGING SYSTEM for the request of Dimitri Dimitropoulos, agent for the proposed multi-tenant retail/restaurant building (with outdoor seating and a drive-thru) on the property generally located at the north of 76th Street between 91st and 94th Avenues within the Prairie Ridge development to be known as The Corners at Prairie Ridge.

Jean Werbie-Harris:

Mr. Chairman, I would ask that Items F and G be taken up at the same time. They refer to the same project and I'll be making one presentation with separate action needed by the Plan Commission.

Michael Serpe:

So moved.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JIM BANDURA 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. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT for the request of Dimitri Dimitropoulos, agent to create the specific PUD requirements for the proposed development of a multi-tenant retail/restaurant building (with outdoor seating and drive-thru) on the property generally located at the north of 76th Street between 91st and 94th Avenues within the Prairie Ridge development to be known as The Corners at Prairie Ridge.**

Jean Werbie-Harris:

Item F is a public hearing and consideration of a Conditional Use Permit including Site and Operational Plans and a Digital Security Imaging System for the request of Dimitri Dimitropoulos, agent for the proposed multi-tenant retail/restaurant with outdoor seating and a drive-thru for a building on property generally located north of 76th Street between 91st and 94th Avenues within the Prairie Ridge development to be known as The Corners at Prairie Ridge.

And Item G, the public hearing and consideration of a Zoning Text Amendment for the request of Dimitri, agent to create the specific PUD requirements for the proposed development of a multi-tenant retail/restaurant building with outdoor seating and a drive-thru. And, again, on that same property generally located north of 76th Street between 91st and 94th Avenues within the Prairie Ridge development to be known as The Corners at Prairie Ridge.

As indicated, these items are related and will be discussed at the same time. However, separate action is required. And since this also is a Conditional Use Permit it does require findings of fact to be presented for the record and as part of the public hearing comments. And as part of that public hearing record the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request, and they're being presented and described herein.

Findings of Fact

1. At this time the petitioner is requesting approval of a Conditional Use Permit including Final Site and Operational Plans and a Digital Security Imaging System, DSIS, Agreement and Access Easement for the construction of the multi-tenant retail/restaurants with outdoor seating and a drive-thru. This building will be on Lot 1 of the proposed CSM within the Prairie Ridge development to be known as The Corners at Prairie Ridge. Exhibit 1 has a copy of the Site and Operational Plan and Conditional Use Permit application and plans.
2. The property is known as a part of Outlot 20 of the Prairie Ridge Subdivision, located in U.S. Public Land Survey Section 8, Township 1 North, Range 22 East of the Fourth Principal Meridian, in the Village of Pleasant Prairie, Kenosha County, Wisconsin and further identified as a part of Tax Parcel Number 91-4-122-081-0200. Just a note that the parcel number is not shown correctly on the application.

3. On October 5, 2015, the Village Board conditionally approved a Certified Survey Map identified as Exhibit 2, and this is to subdivide Outlot 20 of the Prairie Ridge Development generally located at the northwest corner of 76th Street and 91st Avenue into two parcels and conditionally approved a Conceptual Plan for Lot 1 of the proposed CSM which is the western portion of Outlot 20 as shown on the slide for the development of a multi-tenant retail/restaurants building. The CSM is required to be finalized, executed and recorded at the Register of Deeds Office and the land acquired by the Developer prior to issuance of building permits.
4. Pursuant to the application, Exhibit 1:
 - a. The Corners at Prairie Ridge is proposed to be a 13,300 sq. ft. multi-tenant building to be located on Lot 1 of the proposed CSM. The tenants that currently have signed leases are Corner Bakery Café and MOD Pizza. These two tenants account for approximately 6,500 sq. ft., which leaves about 6,800 sq. ft. to be leased out. Corner Bakery Café is a fast casual restaurant, which will have indoor seating, patio seating and a drive-thru. MOD Pizza is a fast casual pizza chain that will have indoor and patio seating. These two tenants will occupy the two end caps of the proposed building. So the Corner Bakery Café will be on the east corner, and MOD Pizza will be on the west corner.
 - b. This building could have a total of six tenants including:
 - i. 2,497 square foot restaurant, with outdoor seating known as MOD Pizza
 - ii. 1,809 square foot retail space
 - iii. 1,728 square foot retail space
 - iv. 1,471 square foot retail space
 - v. 1,800 square foot retail space
 - vi. 4,010 square foot restaurant, with outdoor seating and a drive-thru and that would be for the Corner Bakery
 - c. The businesses in the building are intended to operate between 7:00 a.m. and 10:00 p.m.
 - d. It is anticipated that there will be approximately 50 employees.
5. Site Access: There is no direct access to this property from STH 50 or from 91st Avenue. The lot obtains its access through two 76th Street common driveway connections. The westernmost entrance to 76th Street will be shared with The Bulls-Eye Development on Outlot 21 to the west. The easternmost entrance to 76th Street will be shared with the adjacent Lot 2 of the current proposed CSM.
6. Parking: The development sites include 122 parking spaces which includes five handicapped accessible parking spaces. Pursuant to the Village Zoning Ordinance the number of parking spaces required for the specified tenants is listed below:

- a. Restaurants require a minimum of one space for each 100 square feet of floor area plus one space for every two employees on the largest work shift. So 75 spaces are required.
- b. Retail stores require a minimum of one space for each 200 feet of primary floor area plus one space for every two employees. Per the site and operational plan 40 spaces are required.
- c. In addition, to these minimum parking spaces, five handicapped accessible parking spaces are required by the State Code.

Based on the foregoing information the total number of parking spaces required is 115, plus 5 handicapped accessible parking spaces or a total of 120 parking spaces. Again, they're providing 122.

- 7. The owner has agreed that no new land uses other than those specifically identified in this memo, which require a greater demand or intensity of parking based upon the Zoning Ordinance parking space requirements shall be allowed for new occupancy in The Corners at Prairie Ridge Development unless permanent, off-site parking adjacent to the site has been secured.
- 8. We discussed this previously with other developments, the owner has agreed to pay a property tax based upon a baseline assessed value of the real estate never falling below all of the cumulative costs of the development, including land acquisition, site improvements, financing costs and building construction. In a year the assessed value of the property falls below the baseline value, the property owner agrees to pay the Village a payment determined by multiplying the municipal portion of the net property tax rate by the difference between the current assessed value and the baseline value.
- 9. Compliance with the recorded Cross-Access Agreement between the owners of Outlots 20 and 21 is required.
- 10. Outdoor seating areas are proposed to be surrounded and enclosed with a fence with brick pillars acting as bollards to define the outdoor eating areas and to ensure protection of the patrons from the parking lot area.
- 11. The DSIS Agreement and Easement: Pursuant to Chapter 410 of the Village Municipal Ordinance the development is required to comply with the Village Security Ordinance. The DSIS will afford the opportunity for the public safety departments including the police and fire and rescue departments to visually examine commercial establishments and their sites and will provide emergency response personnel with a visual assessment of any emergency situation in advance of arrival without placing an undue burden on the Village taxpayers.

The attached DSIS Agreement and Access Easement which are, Exhibits 3 and 4 shall be finalized, executed by the owner and the system installed by the owner. Following the owner's installation of the DSIS, the Village will inspect the system and verify accessibility. My understanding is that Dakota Security is also doing this system for

them. The DSIS will be owned and operated by The Corners at Prairie Ridge. The Agreement and associated Access Easement shall be executed and the easement recorded prior to obtaining building permits the project. The system shall be inspected and operational to the Village's satisfaction prior to the verbal occupancy.

12. The detailed Site and Operational Plans and related documents for the retail shell buildings and exterior site improvements have been reviewed by the Village staff and are subject to the conditions as set forth in this memorandum.
13. The signage plan reflects two primary monument signs. We had considerable discussion today about a number of the comments as well as the primary monument signs. And the staff is recommending that since and as part of the Village Zoning Ordinance since they have frontage on two streets based on that frontage and that lineal footage they are permitted to have two primary monument signs. So they'll have adjacent to Highway 50. That's going to serve more like a multi-tenant because there are up to six tenants in this building. And then the second primary sign right now is being shown where Peggy has the laser pointer, it might shift to the cul-de-sac to the east. We're in further discussions with them about that. But it does not have the same height as along Highway 50. Maximum height for that sign would be six feet. So that's a slight modification to comment number 13.
14. The property, Outlot 20, is currently zoned B-2 (PUD), Community Business District with a Planned Unit Development Overlay. The existing signage PUD on the properties relates to the PUD for the entire Prairie Ridge Commercial Development that allows for several entry monument signs throughout the Prairie Ridge Development. Again, their PUD also does reflect modifications with respect to signage.
15. Zoning Text Amendment. As just mentioned a separate PUD Zoning Text amendment is being proposed for the development. See Exhibit 5 for the application and Exhibit 6 for the PUD Ordinance, and this includes: 1) to reduce setbacks to common lot line between lots and hard surface setback reductions and 2) to reduce the percentage of open space required for Lot 1.

The community benefits identified by the developer in consideration for the granting of the PUD modifications include: 1) the building constructed on Lot 1 will be fully provided with fire sprinklers and a fire protection system as approved by the Fire & Rescue Department; 2) the development will comply with Section 410 of the Municipal Code relating to the installation, operation and maintenance of a DSIS system; 3) enhanced architectural design features and landscaping will be provided on the site; 4) the Primary Monument sign abutting Highway 50 will be limited in height to grade to 16 feet. No berming will be allowed to increase sign height will be permitted, and will have a 130 maximum square feet in area per sign side and will be placed in the same sight line as the adjacent signs on the Bulls-Eye property.

And number 5) the owner has agreed to pay a property tax based upon a baseline assessed value of the real estate never falling below the cumulative costs of the development, including land acquisition, site improvements, financing costs and building construction. In a year the assessed value of the property falls below the baseline value, the property

owner agrees to pay the Village a payment determined by multiplying the municipal portion of the net property tax rate by the difference between the current assessed value and the baseline value. Other specific PUD requirements are also listed in Exhibit 6. In addition, not included in the staff memo, the two other or few other items that would be in the PUD adjacent to 76th Street the maximum display area will be 36 square feet, and the maximum height of 6 feet. And, again, we just discussed that generally. And wall signs will be 50 square feet per building facade per tenant with a maximum height of 3 feet.

And, also, one of the things that we've been talking about with some of these multi-tenant structures that have double or triple frontages is that we do want to allow in some of these window opportunities that are facing the south, instead of just having them blacked out, have some opportunities for some non-illuminated window cling signs that might show a picture of a sandwich or someone walking to the store. I would have to refer to them. But you know how they show more community oriented type quality of life clings in these windows. We would like to be able to permit that and to be reviewed on a case-by-case basis by the zoning administrator. And we've done that in the past. And since there is so much visibility with respect to these windows facing to the south, instead of having all these blacked out or darked out windows it made some sense to have some life into some of these spaces.

16. Notices were sent to adjacent property owners via regular mail on October 22, 2015 and notices were published in the *Kenosha News* on October 26 and November 2, 2015 related to the Conditional Use Permit.
17. The petitioner was e-mailed a copy of this memo on November 6, 2015. And in fact, we met with them for a couple of hours today to go through all of the comments for this particular project.
18. According to 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 the information presented this evening that the project as planned, will not violate the intent and purpose the Village Ordinance and it 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.

With that I'd like to continue the public hearing. And I'm sure Dimitri would like to come up and answer any questions and make any additional presentation regarding the Corners at Prairie Ridge.

Dimitri Dimitropoulos:

Hello, my name is Dimitri Dimitropoulos. I am the developer and also the owner and operator for the Corner Bakery Cafe which will be the tenant on the eastern end of the building. It's nice to be back, and we're just looking forward to continuing through the process to get our approvals and hopefully break ground soon.

Tom Terwall:

So are we.

Dimitri Dimitropoulos:

I'm here for any questions at all.

Tom Terwall:

Are there any comments or questions? Any comments or questions? Seeing none, I'll open it up to Commissioners.

Bill Stoebig:

I assume it's kind of a similar opening period by Memorial Day?

Dimitri Dimitropoulos:

We're going to break ground in the spring. They broke ground already. But we'll get in the ground as soon as we can. We're probably looking at having the tenants opening up by November of next year, a couple months later.

Michael Serpe:

Does Corner Bakery have a liquor license?

Dimitri Dimitropoulos:

It does not. Some of the MOD Pizzas do which is the tenant on the other end cap of the building. So as a brand they do sell I believe beer in a lot of their units. But they have not started the process of obtaining that license here yet.

Tom Terwall:

Where is the nearest MOD pizza? Do you know?

Dimitri Dimitropoulos:

There are probably 60 units around the country. I know there are a couple under development right now in Illinois. I'm not sure if any have opened. The one that I actually visited when I was

on a trip on the west coast I went to one that was in Los Angeles to see what it was like when I was there.

Tom Terwall:

Thank you.

Jean Werbie-Harris:

I just wanted to mention that they took great pains to bring in all of their samples for their projects. Again, you may have seen them and looked at them when you walked in. I think that this is going to be quite unique and interesting. And after seeing the materials and working through everything with them to understand exactly how everything was going to be working together, I think it will be very interesting and unique out there. But yet we'll have some of the similar characteristics to some of the other facilities out there. But I think that this will be one of the most unique ones just because they're introducing some different materials and slate and just some other materials. But I think it will look very nice out there.

Tom Terwall:

Have you selected a general contractor yet?

Dimitri Dimitropoulos:

Working with KVG.

Tom Terwall:

If there's nothing further, I'll entertain a motion to approve the Conditional Use Permit including Site and Operation Plan with the DSIS.

Jim Bandura:

So moved.

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY MICHAEL SERPE TO APPROVE THE CONDITIONAL USE PERMIT INCLUDING THE SITE AND OPERATIONAL PLAN WITH THE DSIS 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.

Michael Serpe:

Move approval of the Zoning Text Amendment.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING TEXT AMENDMENT 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.

H. Consider the request of Joan Knapp, owner for approval of a Certified Survey Map to subdivide the property located at 8008 107th Avenue into three (3) properties.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a request of Joan Knapp, owner for approval of a Certified Survey Map to subdivide the property located at 8008 107th Avenue into three properties. This property is located just south of the Chateau Eau Plaines area and just north of the River Oaks area in Pleasant Prairie.

The petitioner is requesting to subdivide the property located at 8008 107th Avenue. It's identified as Tax Parcel Number 91-4-122-074-0098 into three parcels. The property is currently zoned R-5, Urban Single Family Residential, which requires lots to have a minimum frontage of 75 feet on a public road and a minimum lot area of 10,000 square feet.

Lot I is proposed to be 38,925 square feet with 190 feet of frontage on 107th Avenue. Lot 1 has an existing single family home and a shed on the property. There is an existing 20 foot storm

water drainage easement pursuant to the two attached recorded easements granted to the Village in 1995 and 1999 that are extending along the north property line of Lot 1, which shall be shown on the CSM along the north end of the CSM from the rear corner of the property which would be that northwest corner extending all the way to 107th Avenue there should be a 20 foot easement that's identified.

The existing shed shown on the CSM shall be removed or relocated outside the Village's drainage easement. Pursuant to Village records no permit had been obtained for that shed. So if the shed is proposed to be relocated a permit needs to be obtained prior to moving the shed. And the new location shall be shown on the CSM. If the shed is just going to be removed then it should be removed from the property and from the CSM.

Lot II and III are proposed to be 20,487 square feet each with 100 feet of frontage on 107th Avenue. Any new homes proposed to be constructed on these lots will be required to connect to both municipal sanitary sewer and municipal water within 107th Avenue. A detailed drainage and grading plan for the lots shall be submitted to the Village Engineering Department for approval prior to the development on Lot II and III. In addition, 20 foot wide Stormwater Drainage, Access and Maintenance Easements shall be shown on the CSM and dedicated to the Village on the common lot lines for future offsite storm water runoff conveyance. So in between the lots that are being created so two more additional easements.

The proposed land division conforms with the Village's Zoning Ordinance, Land Division and Development Control Ordinance and the Village's Comprehensive Plan subject to the removal and relocation of the shed and subject to the conditions as outlined below in our staff comments. The staff recommends approval of the CSM subject to the above comments made as well as all the comments that are listed below 1 through 11.

Michael Serpe:

Move approval.

Deb Skarda:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY DEB SKARDA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CSM 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.

Michael Serpe:

Before we adjourn I'd just like to compliment staff and everybody for the room. Came out beautiful. The only question I have is does it have any heat?

6. ADJOURN.

Michael Serpe:

Move to adjourn.

Deb Skarda:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

We stand adjourned.

Meeting Adjourned: 7:15 p.m.

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

- A. **PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #15-19 FOR SEVERAL COMPREHENSIVE PLAN AMENDMENTS** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development: 1) To amend a portion of the Pleasant Farms Neighborhood Plan to include the proposed layout of the Bethany Church Campus development; 2) To amend the Village 2035 Land Use Plan Map 9.9 to change the Low-Medium Density Residential land use designation and a portion of the Park, Recreational And Other Open Space Lands (that are not wetland or 100 year floodplain) to the Governmental and Institutional Lands land use designation, and to amend the urban reserve designation to correspond with the Governmental and Institutional Lands land use designation; and 3) To correct the map to reflect the field delineated wetlands on the property to correct the land use from Interpolated Wetlands to Field Verified Wetlands designation. In addition, Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin, 2035 Comprehensive Plan is proposed to be updated 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 #15-19 and send a favorable recommendation to the Village Board to conditionally approve the amendment to the Comprehensive Plan (Land Use Plan Map and Neighborhood Plan amendment) subject to the comments and conditions of the December 15, 2015 Village Staff Report.

- B. **PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development that includes the development of a church facility, educational facility with sports fields, up to four parsonages, and mausoleum.

Recommendation: Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the Conceptual Plan subject to the comments and conditions of the Village Staff Report of December 14, 2015.

- C. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development to rezone the non-wetlands areas into the I-1 (AGO), Institutional District with a General Agricultural Overlay District and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District. The location of the 100-year floodplain on the property will remain unchanged.

Recommendation: Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the Zoning Map Amendment subject to the comments and conditions of the Village Staff Report of December 14, 2015.

- D. Consider approval of a **Certified Survey Map** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development.

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 comments and conditions of the Village Staff Report of December 14, 2015.

- E. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development that includes the development of a church facility, educational facility with sports fields, up to four parsonages, and mausoleum.

Recommendation: Village staff recommends that the Plan Commission approve the Conditional Use Permit subject to the comments and conditions of the Village Staff Report of December 15, 2015.

VILLAGE STAFF REPORT OF DECEMBER 14, 2015

CONSIDERATION OF PLAN COMMISSION RESOLUTION #15-19 FOR SEVERAL

COMPREHENSIVE PLAN AMENDMENTS for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development: 1) To amend a portion of the Pleasant Farms Neighborhood Plan to include the proposed layout of the Bethany Church Campus development; 2) To amend the Village 2035 Land Use Plan Map 9.9 to change the Low-Medium Density Residential land use designation and a portion of the Park, Recreational And Other Open Space Lands (that are not wetland or 100 year floodplain) to the Governmental and Institutional Lands land use designation, and to amend the urban reserve designation to correspond with the Governmental and Institutional Lands land use designation; and 3) To correct the map to reflect the field delineated wetlands on the property to correct the land use from Interpolated Wetlands to Field Verified Wetlands designation. In addition, Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin, 2035 Comprehensive Plan is proposed to be updated to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

CONSIDERATION OF A CONCEPTUAL PLAN for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development that includes the development of a church facility, educational facility with sports fields, up to four parsonages, and mausoleum.

CONSIDERATION OF A ZONING MAP AMENDMENT for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development to rezone the non-wetlands areas into the I-1 (AGO), Institutional District with a General Agricultural Overlay District and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District. The location of the 100-year floodplain on the property will remain unchanged.

Consider approval of a **Certified Survey Map** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development.

CONSIDERATION OF A CONDITIONAL USE PERMIT for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development that includes the development of a church facility, educational facility with sports fields, up to four parsonages, and mausoleum.

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

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. At this time the petitioner is requesting several approvals on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development. Bethany Lutheran Church will gather people of all ages for worship, fellowship, and spiritual education. They also look to be an active community partner, offering opportunities to residents for recreation, social interaction and religious instruction. Their nationally accredited K-8 school strives to offer Christian education, character development and enrichment through athletics and the arts. They will also offer early childhood programs, before and after school care and day care for children who are not yet school age. The following items are being considered at tonight's meeting:

- a. **Comprehensive Plan Amendments (Plan Commission #15-19): 1)** To amend a portion of the Pleasant Farms Neighborhood Plan; to amend the Village 2035 Land Use Plan Map 9.9 and 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. (See **Exhibit 1** for a copy of the Application).
 - b. **Conceptual Plan** for the development of a church facility, educational facility with sports fields, up to four parsonages, and mausoleum. (See **Exhibit 2** for a copy of the Application).
 - c. **Zoning Map Amendment** to rezone the non-wetlands areas into the I-1 (AGO), Institutional District with a General Agricultural Overlay District, to correct the map and rezone the feild delineated wetlands into the C-1, Lowland Resource Conservancy District. The location of the 100-year floodplain on the property will remain unchanged. (See **Exhibit 3** for a copy of the Application).
 - d. **Certified Survey Map** for the request of Dave Riley on behalf of Bethany Lutheran Church related to the property located at 11019 Wilmot Road for the proposed Bethany Church Campus development. (See **Exhibit 4** for a copy of the Application).
 - e. **Conditional Use Permit** to develop and use the property as shown in the Conceptual Plan. (See **Exhibit 5** for a copy of the Application).
2. The subject property is located at 11019 Wilmot Road located in U.S. Public Land Survey Section 18, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-181-0400.
 3. **COMPREHENSIVE PLAN AMENDMENT** (See **Exhibit 1** for a copy of the Application): The petitioner is requesting the following amendments to the Village Comprehensive Plan: **1)** To amend a portion of the Pleasant Farms Neighborhood Plan to include the proposed layout of the Bethany Church Campus development; **2)** To amend the Village 2035 Land Use Plan Map 9.9 to change the Low-Medium Density Residential land use designation and a portion of the Park, Recreational And Other Open Space Lands (that are not wetland or 100 year floodplain) to the Governmental and Institutional Lands land use designation, and to amend the urban reserve designation to correspond with the Governmental and Institutional Lands land use designation; and **3)** To correct the map to reflect the field delineated wetlands on the property to correct the land use from Interpolated Wetlands to Field Verified Wetlands designation. In addition, Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin, 2035 Comprehensive Plan is proposed to be updated to reflect the above noted changes to the 2035 Land Use Plan Map 9.9. The proposed amendments are shown in the **attached** Plan Commission Resolution #15-19 (See **Exhibit 1a**).

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 the Village Zoning Map. Furthermore, Neighborhood Plans serve as a refinement to the 2035 Comprehensive Land Use Map and identify the location of future lot and roadway configurations, proposed floodplain boundary adjustments, future stormwater facilities and access to roadways pursuant to the land uses identified on the 2035 Comprehensive Land Use Plan Map.

The entire Pleasant Farms Neighborhood is generally bounded by Bain Station Road and Wilmot Road (CTH C) to the north, IH-94 on the west, the CP Railroad to the east (just east of 88th Avenue) and approximately 93rd Street on the south in a part of U.S. Public Land Survey Sections 16, 17 and 18, Township 1 North, Range 22 East. The proposed amendments to the Pleasant Farms Neighborhood Plan and the Comprehensive Land Use Plan pertain to the property located at 11019 Wilmot Road (Tax Parcel Number 92-4-122-181-0400).

The Pleasant Farms Neighborhood Plan is proposed to be amended to include the proposed layout of the Bethany Church Campus development on said property. The proposed changes to the Neighborhood Plan adds approximately 33 acres to the Government/Institutional Area which had been identified to accommodate approximately 39 single family homes. This reduction of 39 single family homes will reduce the number of proposed dwellings within the Neighborhood from 983 to 899 dwellings which in turn reduces the projected population within the Neighborhood from 2,542 to 2,437 person

The Village 2035 Land Use Plan Map 9.9 is proposed to be amended to reflect the neighborhood plan amendments by changing the Low-Medium Density Residential land use designation and a portion of the Park, Recreational And Other Open Space Lands (that are not wetland or 100 year floodplain) to the Governmental and Institutional Lands land use designation, and to amend the urban reserve designation to correspond with the Governmental and Institutional Lands land use designation; and to correct the map to reflect the field delineated wetlands on the property to correct the land use from Interpolated Wetlands to Field Verified Wetlands designation. In addition, Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin, 2035 Comprehensive Plan is proposed to be updated to reflect the above noted changes to the 2035 Land Use Plan Map 9.9; and

4. **CONCEPTUAL PLAN** The petitioner is requesting approval of a Conceptual Plan for the development of a church facility, educational facility with sports fields, up to four parsonages, and mausoleum. (See **Exhibit 2** for a copy of the Application).

The property is 56.3 acres with approximately 32.7 acres of non-wetland and non-floodplain area. There is an existing home and several outbuildings on the property. Prior to the development of this site these buildings will need to be razed (prior to razing proper permits are required to be obtained from the Village). In addition, detailed Site and Operational Plans will be required to be approved by the Plan Commission (and an amendment to the Conditional Use Permit as described below) prior to the issuance of any permits for the development of this site.

The Conceptual Plan proposes the development of a 20,000 square foot worship facility and a 31,000 square foot K-8 school facility and associated athletic fields. In addition, there is a potential for 4 parsonages and a mausoleum area. A complete list of anticipated church and school activities/uses on the site are provided in the application. Pursuant to the application the site will not be used for a homeless shelter, mental health clinic or and community-based residential facility. There is a possibility that five (5) single family lots could be created with a connection into the adjacent proposed residential development to the east if setbacks can be met.

The wetlands on the property were field delineated in August 2015 by Midwest Ecological Inc. The **attached** wetland report has been submitted to the WI DNR for their written concurrence. (See **Exhibit 6**) The 100-year floodplain on the property is based on the current FEMA mapping dated June 19, 2012. No wetlands or floodplains are proposed to be filled or altered for this development.

Buildings will typically be in operation and open to the public between the hours of 6 AM and 9 PM. Deliveries are typically made between 8 AM and 5 PM weekdays. Sporadic deliveries may occur on weekends for special events (funerals, weddings, etc.). The church will be used most intensely on Saturday evenings from 5 to 7 PM and Sunday mornings from 7:30 AM to 12 PM. Weekday evening meetings and programs usually end before 9 PM. School hours are 8 AM to 3 PM but early school drop-off is permitted beginning at 6 AM and after-school activities typically run to 6 PM and occasionally later.

It is anticipated that there will be approximately 10 full-time and 5 part-time employees. During weekday school hours it is anticipated that there will be 11-12 employees, fewer before and after and on weekends. The elementary school population is estimated at 125 students. The church anticipates 50-75 worshipers on Saturday evenings and 325-350 on typical Sunday mornings.

In review of the multiple uses, the Church uses will require the highest/peak parking count requirement. Pursuant to Section 420-50 of the Village Zoning Ordinances a Church or Synagogue requires 1 space per 4 seats in the principal place of worship. There are 273 parking spaces being provided which could support a peak of 1,092 seating/capacity for events/services/activities. At the time that the required Site and Operational Plans are submitted the parking levels will be further evaluated to ensure the minimum parking requirements are being met.

It is anticipated that the following number of automobile trips to and from the site would include: Weekdays – 170 trips; Saturday - 60 trips and Sunday – 350 trips. It is anticipated that the following number of truck trips to and from the site would include: Weekdays – 10 trips and Weekends – 4 trips.

Access to the site would be provided at two access points to CTH C. The eastern most access will be a full access that aligns with the access to River Oaks Subdivision to the north and a second, western access (right-in/right-out) would be provided. These access points have been reviewed and approved by Kenosha County Public Works Department.

All required storm water facilities will be located on site and the buildings will be required to be serviced by municipal sanitary sewer and water. The sanitary sewer service is shown connecting to the existing sewer along CTH C which flows to the Zirbel lift station. The design capacity and additional flows to this lift station would need to be further evaluated. Previous evaluations for this area planned for new gravity sewers, lift station, and force main to convey sewage to the Heritage Valley Sewer D gravity line. The Developer shall consider the sewer connection at CTH C as not allowable at this time.

5. **ZONING MAP AMENDMENT (Ord. #15-47)** (See **Exhibit 3** for a copy of the Application and **Exhibit 3a** for the zoning map amendment).: The property is proposed to be rezoned as follows: the non-wetlands areas into the I-1 (AGO), Institutional District with a General Agricultural Overlay District, to correct the map and rezone the filed delineated wetlands into the C-1, Lowland Resource Conservancy District. The location of the 100-year floodplain on the property will remain in the FPO, Floodplain Overlay District. As indicated above, the wetlands on the property were field delineated in August 2015 by Midwest Ecological Inc. The **attached** wetland report has been submitted to the WI DNR for their written concurrence. (See **Exhibit 6**). The 100-year floodplain on the property is based on the current FEMA mapping dated June 19, 2012. No wetlands or floodplains are proposed to be filled or altered for this development.
6. **CERTIFIED SURVEY MAP** (See **Exhibit 4** for a copy of the Application): This CSM provides for the dedication of the additional right-of-way for the future expansion of CTH C. This dedication will allow for the required bike lane and widening of CTH C (See **Exhibit 4a** for minutes from the November 16, 2015 CTH C shared Use Path project Kick-off meeting). The CSM also indicates the location of the delineated wetlands and 100 year floodplain and associated preservation and protection access and maintenance easement on the property. Additional easements and dedications may be required at the time required Site and Operational Plans are submitted.
7. **CONDITIONAL USE PERMIT** (See **Exhibit 5** for a copy of the Application): A church and school is allowed in the I-1 District with approval of the Conditional Use Permit. The petitioner is requesting approval of a conditional use permit at this time for this proposed church and school facility as shown and discussed above in the Conceptual Plan. At the time that detailed Site and Operational Plans are submitted this Conditional Use Permit may need to be amended.

As shown and discussed above with the Conceptual Plan the site is proposed to be developed with a 20,000 square foot worship facility and a 31,000 square foot K-8 school facility and associated athletic fields. In addition, there is a potential for 4 parsonages and a mausoleum area. A complete list of anticipated church and school activities/uses on the

site are provided in the application. Pursuant to the application the site will not be used for a homeless shelter, mental health clinic or community-based residential facility.

The Village staff is recommending as a condition of the conditional use permit that the site meet the Village Security Ordinance (Chapter 410) requirements and provide a Digital Security Imaging System (DSIS) and enter into a DSIS Agreement and grant the Village an Access Easement to be submitted and approved at the time the required Site and Operational Plans are considered.

8. Notices were sent to adjacent property owners via regular mail on November 13, 2015 and notices were published in the Kenosha News for amendments to the Comprehensive Plan on November 14, 2015 and for the Conceptual Plan, Zoning Map Amendment and the Conditional Use Permit on November 30, 2015 and December 7, 2015.
9. The petitioner was e-mailed a copy of this memo on December 11, 2015.
10. 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 Ordinances and meets the minimum standards for granting of a Conditional Use Permit.

Recommendation for Item A: Village staff recommends that the Plan Commission approve Plan Commission Resolution #15-19 and send a favorable recommendation to the Village Board to conditionally approve the amendment to the Comprehensive Plan (Land Use Plan Map and Neighborhood Plan amendment) subject to the comments and conditions of the December 15, 2015 Village Staff Report.

Recommendation for Item B: Village staff recommends that the Conceptual Plan be approved subject to the above comments and the following conditions:

1. The Conceptual Plan approval will be valid for a period of one (1) year. Prior to the expiration of the Conceptual Plan, the petitioner will be required to submit applications and required documents for consideration of Site and Operational Plans.
2. The Conceptual Plan was reviewed for compliance with generally accepted engineering practices and Village Ordinances and 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 incorporated into the required Site and Operational Plans.
 - a. Subject to the ***attached*** memorandum dated November 20, 215 from the Village Engineer.
 - b. Entire site shall be provided with curb and gutter not just the entrance details at the radius.
 - c. Acceleration and deceleration lanes and by-pass lane at the western driveway will be required on CTH C.

- d. In addition to the 65' right-of-way dedication, Kenosha County requires a dedication of an easement for proposed bike lane/path (See **Exhibit 4a** for minutes from the November 16, 2015 CTH C shared Use Path project Kick-off meeting). Additional easements may need to be dedicated to Kenosha County.
- e. Acceleration, deceleration and by-pass lanes as determined by Kenosha County shall be constructed.
- f. The Median for the western access shall be located outside of the right-of-way.
- g. Maximum width of the driveway entrances shall be 35 feet unless a greater distance is approved by Kenosha County.
- h. The radius of the entrance driveways shall be 45 feet.
- i. The fire lane shall be a minimum of 30 feet in width.
- j. Is one-way access being proposed around the building?
- k. Identify the location of the Fire & Rescue Department pumper pad/parking.
- l. The potential drive to the southeast shall be a minimum of 30 feet wide and a curb and gutter profile.
- m. In addition to the end landscaped islands in the parking lot, a landscaped island shall be provided for every 25 spaces.
- n. Parsonages shall be parallel (similar site line setbacks to the eastern entrance driveway unless there is a private driveway bump out (cul-de-sac eyebrow).
- o. Parsonages shall be setback a minimum of 30 feet from the back of the private driveway curbing and a shall provide a minimum of 20 feet from side foundation to side foundation and 25 feet from the rear lot lines.
- p. If the parsonages are to be conveyed to different owners, the lots shall be established by a Certified Survey Map or a Condominium Plat.
- q. Parsonages shall follow the design and regulatory requirements of the R-4, Urban Single Family Residential District.
- r. Separate utility laterals shall be provided for each parsonage.
- s. The separation spacing between the potential future single family and the athletic field shall be a minimum of 100 feet with fencing and screening separating the two land uses
- t. "Mausoleums" is spelled incorrectly as "Mausleums" on plans.
- u. Mausoleums shall have a minimum of a 50 foot setback to adjacent residential property boundary to the east and shall have substantial natural screening to the east.
- v. Details for the height, materials, separation spacing, and locations shall be provided for the Mausoleums.
- w. Single family parsonage is too close to the Mausoleum. At a minimum a home should be setback 25 feet from the mausoleum.
- x. The height of the educational facility shall be provided. Setback between the fire lane and building shall not be less than the buildings height.
- y. Building architectural details on the building plan shall be provided for the Village to approve and evaluate the architecture, building materials and designs.
- z. Building architectural details on the church plan shall be provided for the Village to approve and evaluate the architecture, building materials and designs.

- aa. All building exits shall be numbered sequentially, both inside and out, beginning at the front of the building and moving clockwise around the building.
- bb. A tree survey shall be provided along the eastern tree line to evaluate the conditions, height and type of trees on the site to be preserved. Are these just shrub trees or bushes?
- cc. A detailed landscape plan with the as planted and mature sizes, locations, types and details shall be provided. Foundation plantings are required around the base of the buildings. The base map for the landscape plans shall include the approved grading plan.
- dd. All landscaped areas will be required to be irrigated with a sprinkler system. The irrigation system shall be used during dry conditions and monitored and maintained yearly.
- ee. How high are the proposed berms? They should screen parking but not block a view of the building from the street.
- ff. All signs shall conform with Article X of Chapter 420 of the Village Municipal Code. A detailed Signage plans shall be submitted. The design, location and setback of the site monument signage and on-site information signs shall be provided.
- gg. Site lighting shall be pedestrian scale, color and height so as to not cause a nuisance to the adjacent residential properties.
- hh. Site lighting for the athletic fields shall be shielded so as to not cause a distraction to adjacent residential properties or CTH C traveling public.
- ii. The site shall be designed and built per applicable building codes. LED "dark sky" compliant exterior lighting is recommended with a 400k color temperature.
- jj. Storm water ponds shall be provided with fountains.
- kk. At the time the Site and Operational Plans are submitted, Dedicated Storm Water Drainage, Retention Basin, Access and Maintenance Easements shall be provided to the Village for all storm water ponds and access. (These easements, legal descriptions and illustrations shall be prepared by the Owner, executed and recorded at the Kenosha County Register of Deeds office.)
- ll. At the time the Site and Operational Plans are submitted, Dedicated Vision Triangle Easements (15' by 50') at the two entrances to CTH C shall be provided upon identification of driveways. (These easements, legal descriptions and illustrations shall be prepared by the Owner, executed and recorded at the Kenosha County Register of Deeds office.)
- mm. All dedicated easements shall be shown on the plans including but not limited to Dedicated Wetland Preservation and Protection, Access and Maintenance Easements, Dedicated Floodplain Preservation and Protection, Access and Maintenance Easements, Dedicated Tree Preservation and Protection, Access and Maintenance Easement, and Dedicated Vision Triangle Easements.
- nn. The 300 foot Shoreland Jurisdictional Boundary and the 75 foot Shoreland setback shall be shown. If any work, including grading is proposed within the 75 foot Shoreland setback then a Stipulated Shoreland Permit (20 day minimum notice period) is required.
- oo. When developed, the church campus development shall conform to the current I-1, Institutional District requirements and to the current Village Zoning and other Municipal Ordinances and requirements.
- pp. Compliance with the **attached** Fire and Rescue memorandum dated [REDACTED], 2015. Additional comments will be forthcoming when detailed Site and Operational

Plans are submitted for review.

- qq. A 6 foot high, secured chain link construction fence shall surround the construction area.

3. Other comments:

- a. All required permits shall be obtained from the Village prior to commencing work. An electrical permit for the job trailer and DSIS system will be required from the Building Inspection Department and a fence permit for temporary construction fencing will be required from the Community Development Department.
- b. Kenosha County Highway Access permits are required for entrances onto CTH C.
- c. Prior to the existing structures on the property being demolished, Razing Permits shall first be applied for and granted by the Village.
- d. If any development/disturbance is to occur within the 100 year floodplain and/or the delineated wetland areas, then appropriate ACOE and/or WIDNR permits will be required. Copies of permits shall be submitted to the Village.
- e. The Tax Parcel Number on the Conceptual Plan application and on the Pre-Development Agreement are incorrect (94-4-122-181-0400). The correct Tax Parcel Number is 92-4-122-181-0400.
- f. The Conceptual Plan depicts an area along the east property line for "Potential Future Residential" development in the form of five (5) single-family lots located on a cul-de-sac extended from the east. This residential lot layout is based upon the existing Pleasant Farms Neighborhood Plan. If this "Potential Future Residential" development is not/does not occur, then the Pleasant Farms Neighborhood Plan shall be amended appropriately to eliminate the cul-de-sac road and the single-family lots.
- g. Prior to work commencing on the site, all required permits shall be issued by the Village, all required erosion control measures shall be in place on the site and a pre-construction conference shall be held at the Village Offices.
- h. 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. Show on the erosion control plan.
- i. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.
- j. Impact fees shall be paid prior to issuance of the building permit. (Currently based upon \$1.94 per \$1,000 of valuation as determined by the Village Assessing Department).
- k. Municipal connection fees shall be paid prior to the connections of each building to the sanitary sewer system.
- l. This 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.
- m. The hours of construction activity, operating heavy machinery or equipment associated with the antenna and equipment installation shall be limited to Monday through Friday from 7:00 a.m. to 9:00 p.m. and Saturday and Sunday from 9:00 a.m. to 6:00 p.m.
- n. Building/Erosion Control and Zoning Permits shall be obtained from the Village for

the project (as information, Plan Commission Conditional Use Permit and Site and Operational Plan approval constitutes the Zoning Permit). **Prior to commencing work and prior to occupancy, a Commercial Building Permit shall be applied for, the proper permit fees paid and approved by the Village for the proposed equipment shelter. Permits and a Certificate of Compliance shall be issued by the Village prior to the use/operation of this facility to ensure compliance with permit requirements.**

- o. No permits shall be issued by the Village until Site and Operational Plan approval has been granted, and until all conditions precedent set forth in the approval have been satisfied, and until the final plans have been fully signed as required.
- p. All Village fees incurred by the Village Engineer, Village Inspectors and/or expert Assistants/Consultants/Attorneys required by the Village throughout the development process will be billed directly to the Developer. Such fees shall be paid in a timely manner.
- q. All Village fees incurred by the Village Community Development Department and/or expert Assistants/Consultants/Attorneys required by the Village throughout the development process will be billed directly to the Developer. Such fees shall be paid in a timely manner.
- r. During construction, the contractors will be required to park on-site.
- s. Each handicapped parking space shall be appropriately signed and painted on the pavement (same color for all development) pursuant to ADA requirements prior to occupancy of any development site.
- t. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.
- u. After footings and foundations are installed for each building and prior to framing or construction of walls, an as-built survey stamped by a Wisconsin Registered Land Surveyor shall be submitted to the Village to verify that required building setbacks have been met.
- v. Prior to verbal occupancy, each handicapped parking space shall be appropriately signed (locations to be reviewed with planning staff) and painted on the pavement (same color for all development) pursuant to ADA requirements prior to occupancy of any development site.
- w. Prior to verbal occupancy of any building, all required landscaping and screening for the buildings and signage shall be installed. 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. However, if weather conditions prevent installation of all or portions of the landscape materials, the developer, 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.

- x. Prior to verbal occupancy all required site signage shall be installed. A written letter of verification and certification shall be provided to the Village by the signage installer that all building and site signage has been installed in accordance with the approved signage plan prior to the issuance of a verbal occupancy for the first tenant. (Reminder that the full building address shall be legibly shown on the Primary Monument Sign).
- y. Prior to verbal 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.
- z. Prior to verbal occupancy as-built graphical data of all private sewer, water, and storm sewer facilities shall be provided to update the Village's Geographical Information System. Information shall conform to the Village's format requirements. In addition, a paper copy prepared and stamped by the Engineer of Record for the project shall be submitted.
- aa. Prior to verbal occupancy, a record drawing of the utility plans will be required to reflect actual construction records and utility alignments. Record drawing(s) of all the private water main, storm sewers, and sanitary sewers shall be prepared by the Engineer of Record for the project.
- bb. Prior to verbal 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.

Recommendation for Item C: Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the Zoning Map Amendment (Ord. #15-47) as presented.

Recommendation for Item D: Village staff recommends approval of the Certified Survey Map subject to the above comments and the following conditions:

1. See ***attached*** changes to the CSM including the Dedication and Easement language to be added.
2. Correct the Zoning on the CSM. Zoning should read I-1 (AGO), C-1 and FPO (provided that the Village Board approves the Zoning Map Amendment as proposed).
3. Label CTH C as "Dedicated Public Street".
4. Add the source for the legal description for the wetlands staking.
5. Add that Dedicated Vision Triangle Easements (15' by 50') at the two entrances to CTH C shall be provided upon identification of driveways.
6. Add Dedicated Wetland Preservation and Protection, Access and Maintenance Easements to the CSM on all wetland areas.
7. Add Dedicated Floodplain Preservation and Protection, Access and Maintenance Easements to the CSM on all 100-year floodplain areas.

8. Add Dedicated Tree Preservation and Protection, Access and Maintenance Easement to the CSM on all tree preservation areas being protected.
9. Add Note that Dedicated Storm Water Drainage, Retention Basin, Access and Maintenance Easements shall be provided to the Village for all storm water ponds and access. (This easement, legal description and illustration shall be prepared by the Owner, executed and recorded at the Register of Deeds office.)
10. Add Note that Dedicated Vision Triangle Easements (15' by 50') at the two entrances to CTH C shall be provided upon identification of driveways. (This easement, legal description and illustration shall be prepared by the Owner, executed and recorded at the Register of Deeds office.)
11. Prior to recording the CSM, any outstanding taxes or special assessments shall be paid including the Outstanding Sewer D Sanitary Fee of \$40,520.
12. The CSM shall be revised and resubmitted for final staff review. Upon review of the revised CSM, the CSM shall be executed and recorded at the Kenosha County Register of Deeds within 30 days for Village Board approval.

Recommendation for Item E: Village Staff Conclusions and Recommendation related to the Conditional Use Permit: The Village staff has determined that based upon the foregoing information presented in the application, at the public hearing that the project meets the following standards for granting a Conditional Use Permit 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.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire, insofar 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 surrounding adjoining zoning districts and land uses.

Based on the foregoing information, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for granting of a Conditional Use Permit approval as specified above; then approval of the Conditional Use Permit shall be approved subject to the following conditions:

1. The conditional use permit allows for the site to be developed with a worship facility, a K-8 school facility and associated athletic fields, up to four (4) parsonages and a mausoleum area. The site shall not be used for a homeless shelter, mental health clinic or and community-based residential facility.
2. Detailed Site and Operational Plans shall be submitted pursuant to the Village Zoning Ordinance requirements (See Article IX of Chapter 420 of the Village Municipal Code).
3. Subject to compliance with all of the comments and conditions of the Conceptual Plan approval.
4. A Digital Security Imaging System (exterior camera system) pursuant to Chapter 410 of the Village Municipal Code shall be required.

5. The number of parking spaces provided for in the Zoning Ordinance are minimum requirements, and the owner shall ensure that adequate on-site parking and loading areas are or can be provided for the proposed use(s) on the site operated at full capacity.
6. Impact Fees for the development shall be paid as a condition precedent to issuance of Building/Zoning Permits.
7. No site within 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.
8. At no time shall any site within the development be used to sell or advertise any vehicles that are "for sale".
9. No vehicular parking will be permitted in driveways, maneuvering lanes, fire lanes or on landscaped areas.
10. There shall be no outside banners, strings of pennants, signs placed in the ground, flag pennants, flags, inflatable devices or streamers affixed or attached to the building(s), fencing, light poles, ground or landscaping, etc. within the Development. Special event and grand opening signs are permitted by Ordinance with permit.
11. There shall be no semi-truck/trailer, delivery trucks or commercial box truck or commercial van parking permitted on the site within the Development, except temporarily, for routine deliveries.
12. There shall be no outdoor storage or display of materials or equipment on any site, within the Development unless as approved by the Village.
13. The use of semi-trailers, storage units, storage bins, roll-off storage devices (e.g. P.O.D.S., S.A.M.S.) or other trucks, for storage purposes is prohibited. Outdoor storage of any materials, including but not limited to: raw materials, business supplies, pallets, crates, etc., is prohibited.
14. No trucks, trailers or cars shall be parked in a manner that would constitute advertising for the business on the properties.
15. 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.
16. All buildings, structures, site improvements and sites shall be maintained in a safe, structurally sound, neat, well-cared-for and attractive condition.
17. The property owner shall comply with all provisions of the Conditional Use Permit and Site & Operational Plan submittal, including compliance with the Village Performance Standards and all Municipal Code ordinances and regulations.
18. This Conditional Use Grant and all of its related conditions shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
19. No changes to the exterior site shall be made without Village approval. In addition, 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.
20. 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.

21. Operation of the use granted herein shall be in strict conformity to both plans and documents filed and approved in connection with the petition for Site and Operational Plan and Conditional Use Permit approvals. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
22. All plans and the proposed and applied for 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 management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
23. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance.
24. **Upon approval the Village will prepare the required Conditional Use Grant Document to be executed by the property owner. The petitioner shall provide the Village with the authorized person(s) and title(s) to sign the Conditional Use Permit. After the document is executed by all parties, it shall be recorded at the Kenosha County Register of Deeds office at the owner's expense.**



MEMORADUM

Office of the Village Engineer
Matthew J. Fineour, P.E.

TO: Peggy Herrick, Assistant Planner / Assistant Zoning Administrator

FROM: Matthew Fineour, P.E., Village Engineer

SUBJ: Bethany Church – Concept Plan
DEV1511-003

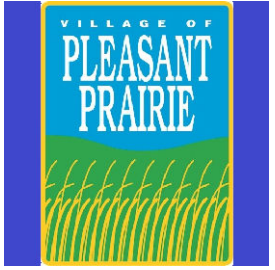
DATE: November 20, 2015

Dear Peggy,

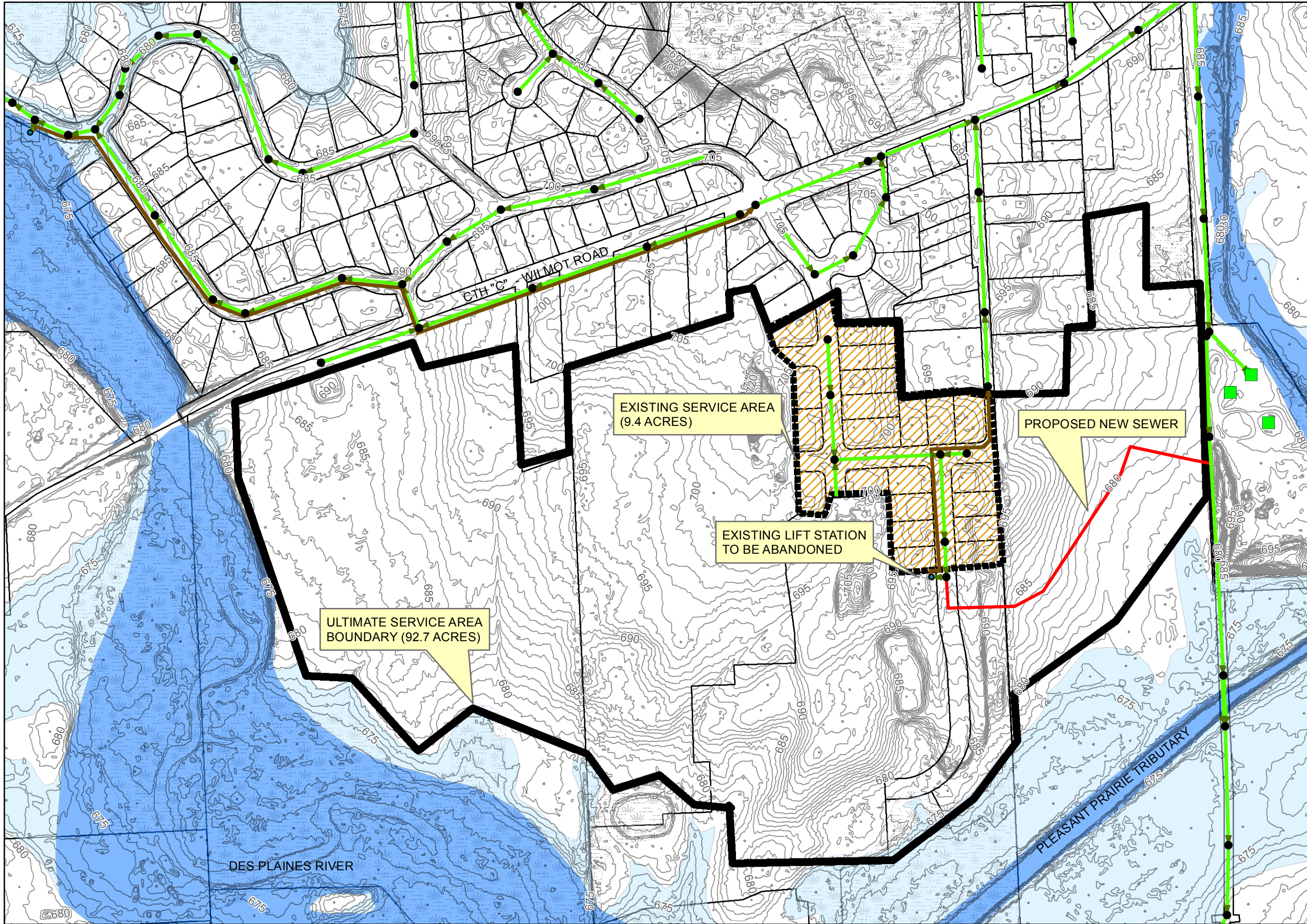
The Engineering Department has completed a review of the concept plans for the above referenced project, prepared by Pinnacle Engineering Group, dated October 16, 2015. Based on our review, we have the following comments listed below.

1. Kenosha County is currently planning and designing a 10-foot wide off-street shared use path from 114th Avenue to 102nd Avenue. The path is anticipated to be on the south side of the road. The path should be shown on the concept plan.
2. The sanitary sewer service is shown connecting to the existing sewer along CTH C which flows to the Zirbel lift station. The design capacity and additional flows to this lift station would need to be further evaluated. Previous evaluations for this area planned for new gravity sewers, lift station, and force main to convey sewage to the Heritage Valley / Sewer D gravity line. The Developer shall consider the sewer connection at CTH C as not allowable at this time. Attached, is a sewer service area map showing the proposed development area.
3. Prior to development detailed site engineering plans will need to be prepared and reviewed. Site adjustments based grading requirements may need to be considered.
4. Storm water management shall meet Village requirements as set forth in Chapter 298 of the Village Ordinances and/or per Village requirements at the time of development.
5. A sufficient access for maintenance etc. shall be maintained to the south-east pond if the "potential future development" option is pursued.

6. Proposed driveway connections to CTH C will need to be reviewed and approved by Kenosha County.
7. All fire lane width / location(s), parking stalls, drive lane widths, fire hydrant locations, etc. shall meet Village requirements.
8. A sampling manhole will be required for this site.



0 150 300 Feet
1 in = 300 ft



**HERITAGE VALLEY SANITARY SEWER
SERVICE AREA MAP**

Modify Zoning Amendment to I-1 Institutional District to be posted 12/15/15

Dedicated Floodplain Preservation and Protection Access and Maintenance Easement

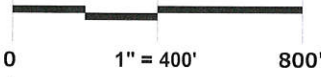
*Add FPD
Dedicated Vision Triangles
Dedicated Access and Maintenance Easement*

CERTIFIED SURVEY MAP NO. _____

Being a part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin



GRAPHICAL SCALE (FEET)



SEE SHEET 2 OF 4 FOR NOTES AND VICINITY SKETCH

- LEGEND:
- Denotes Found 1" Iron Pipe
 - Denotes Found 3/4" Iron Rebar

Subject Property
Tax Key Number: 92-4-122-181-0400
Zoned: A2 - General Agricultural District
C1 - Lowland Resource Conservancy District

FPO - Floodplain Overlay District

OCTOBER 12, 2015

SOUTH MEANDER CORNER OF THE NW CORNER, NE 1/4 SEC. 18, T1N, R22E (CONC. MON. W/ BRASS CAP)

C.T.H. "C" WILMOT ROAD (R.O.W. VARIES)

111TH AVENUE (R.O.W. VARIES)

OAK HI UNIT A (R.O.W. VARIES)

LOT 10

EXISTING BUILDINGS

LOT 1

100 YEAR FLOOD PLAIN PER FEMA MAP NO. 55059C0187D DATED JUNE 19, 2012

WETLANDS

DES PLAINES RIVER

WITNESS CORNER

UNPLATTED LANDS

SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SEC. 18

SE CORNER, SE 1/4 SEC. 18, T1N, R22E (CONC. MON. W/ BRASS CAP)

Prepared for:
VPX FARM LLC
2640 Golf Road Suite 127
Glenview, IL 60025

| LINE NO. | BEARING | DISTANCE |
|----------|-------------|----------|
| L1 | N62°30'48"E | 285.11' |
| L2 | N70°27'38"E | 874.42' |
| L3 | S70°27'38"W | 855.56' |
| L4 | S62°30'48"W | 204.71' |
| L5 | S02°42'42"E | 16.52' |
| L6 | S62°30'48"W | 100.00' |

SW CORNER, SE 1/4 SEC. 18, T1N, R22E (CONC. MON. W/ BRASS CAP)

Prepared By:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD | SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

Bearings refer to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The east line of the Northeast 1/4 of Section 18, Township 1 North, Range 22 East has a reference bearing of S02°57'44"E.

PEG JOB#517.00WI
SHEET 1 OF 4

- 2008 2009 year CE not in plan

** Label wetlands source*

Dedicated Wetland Protection and Maintenance Access and Maintenance Easement

"Dedicated Public Access" street" - 65' R.O.W dedication for CTH C.

CERTIFIED SURVEY MAP NO. _____

Being a part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and dedicated that part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin, which is bounded and described as follows:

Commencing at the northeast corner of said Northeast 1/4;
Thence South 02°57'44" East along the east line of said Northeast 1/4, 626.89 feet;
Thence South 68°33'38" West, 772.81 feet to a point on the centerline of Wilmot Road - County Trunk Highway "C";
Thence South 70°27'38" West along said centerline, 856.38 feet to the Point of Beginning;

Thence South 02°26'10" East and then along the west line of Lot 1 Certified Survey Map No. 419, 610.56 feet;
Thence North 70°09'50" East along the south line of said Lot 1, 176.92 feet;
Thence South 02°26'10" East, 2235.38 feet to the south line of the Northwest 1/4 of the Southeast 1/4 of Section 18;
Thence North 89°54'10" West along said south line, 303.00 feet;
Thence North 02°51'02" West, 385.00 feet;
Thence North 44°11'49" West, 578.99 feet;
Thence North 89°54'10" West, 563.50 feet to the west line of the Southeast 1/4 of said Section 18;
Thence North 02°51'18" West along said west line, 520.87 feet to the center of said Section 18;
Thence North 02°42'42" West along the west line of said Northeast 1/4, 1039.13 feet to a point on the centerline of said Wilmot Road - County Trunk Highway "C";
Thence North 62°30'48" East along said centerline, 285.11 feet;
Thence North 70°27'38" East along said centerline, 874.42 feet to the Point of Beginning.

Said lands containing 2,511,505 square feet (57.6562 acres) Gross and 2,452,010 square feet (56.2904 acres) Net of land, more or less.

Dedicating 59,495 square feet (1.3658 acres) of the Northerly portion of subject property, as graphically shown, for public right of way purposes.

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

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

That I have fully complied with the provisions of s.236.34 of the Wisconsin State Statutes and the Village of Pleasant Prairie Land Division Ordinance in surveying, mapping, dedicating and dividing the same.

Date: OCTOBER 12, 2015

NOTES:

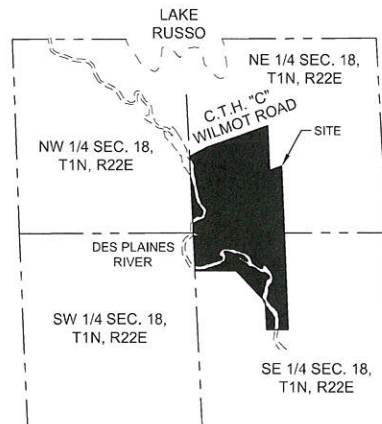
- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Vertical Datum: North American Vertical Datum of 1988 (NAVD88). Contours are shown at a 1' interval based on actual ground survey of the current ground terrain. Reference Benchmark: National Geodetic Survey (NGS) Monument 9A147 EL.=736.43 (NAVD88).
- Flood Zone Classification: The property lies within Zone AE of the Flood Insurance Rate Map, Community Panel No. 55059C0187D, which bears an effective date of JUNE 19, 2012 in which Base Flood Elevations have been determined. The subject property is partially in a Special Flood Hazard Area subject to inundation by the 1% annual chance flood and partially in Floodway areas.
- Property serviced by municipal sanitary sewer.
- Location of the DES PLAINES RIVER per the Kenosha County Interactive Mapping System.
- Wetlands delineated by Mid-west Ecological, Inc. August 2015.
- Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution.

Prepared By:

PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD | SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

VICINITY SKETCH SCALE 1"=2000'



John P. Konopacki
Professional Land Surveyor S-2461

PEG JOB#517.00WI
SHEET 2 OF 4

CERTIFIED SURVEY MAP NO. _____

Being a part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin

OWNER'S CERTIFICATE OF DEDICATION

VPX FARM, LLC., a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed, mapped and dedicated as represented on this certified survey map.

I also certify that this certified survey map is required by s.236.10 or s.236.12 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

1. Village of Pleasant Prairie

IN WITNESS WHEREOF, the said VPX FARM, LLC. has caused these presents to be signed by _____, at _____, _____ County, State of _____, on this _____ day of _____, 2015.

In the presence of: VPX FARM, LLC.

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2015, _____, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and acknowledged that they executed the foregoing instrument.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this certified survey map and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said _____, has caused these presents to be signed by _____, its President, and its corporate seal to be hereunto affixed this _____ day of _____, 2015.

Date _____ President _____

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2015, _____, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____



OCTOBER 12, 2015

CERTIFIED SURVEY MAP NO. _____

Being a part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the Village of Pleasant Prairie on this _____ day of _____, 2015.

Date

~~John Steinbrink, Village President~~

*Thomas W. Terwilliger,
Plan Commission
Chairman*

Date

~~Jane M. Romanowski, Village Clerk~~

VILLAGE BOARD APPROVAL

Approved by the Village Board of the Village of Pleasant Prairie, Wisconsin, on this _____ day of _____, 2015.

Date

P.
~~John Steinbrink, Village President~~

Date

~~Jane M. Romanowski, Village Clerk~~



[Signature]
OCTOBER 12, 2015

BETHANY CHURCH CAMPUS - LANGUAGE to be added to the CSM

DEDICATION AND EASEMENT LANGUAGE

1. DEDICATED PUBLIC STREET AREAS

The fee interest in the area shown as a Dedicated Public Street on this CSM is hereby dedicated, given, granted and conveyed by the Owner to the Village of Pleasant Prairie (referred to as the "Village"), its successors and assigns (Kenosha County) 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 area shown on this CSM and granted to the adjacent Lot Owner for street terrace grading, placing topsoil and seeding, street trees and other landscaping planting; snow clearance, maintenance, repair and replacement of sidewalks, if applicable, in the area between the roadway and the property, and for the construction, installation, repair, replacement, maintenance and use of such driveways in the area between the roadway and the property as approved by the Village or Kenosha County and as will not interfere with the public improvements, uses and purposes of the Village or Kenosha County (all subject to the rights of the Village or Kenosha County to perform the same planting, replanting, construction, installation, repair, clearance, maintenance and replacement functions with such costs being assessed or charged to the abutting property). In the event of any conflict between the rights of the Village or Kenosha County under its fee interests in the Dedicated Public Street and the Lot Owner pursuant to the easement retained herein, the rights of the Village or Kenosha County shall be deemed to be superior.

The adjacent Lot 1 Owner shall be responsible for all costs associated with the construction, installation, repair, alteration, replacement and snow removal of the public sidewalks, if applicable, and private driveways; grading, placing of topsoil, seeding or sodding and mowing of the street terrace area; street tree pruning, watering, mulching, staking and other tree maintenance and replacements; payment of public street lights energy and maintenance costs; installation and maintenance of mailboxes; extensions and maintenance of private utility and communications facilities, maintenance of the private storm water drainage and on-site private retention basins to handle storm water from the development site; and other required construction, installation, repair, alteration, replacement, planting and development maintenance in accordance with the terms and conditions of the Village's Land Division and Development Control and Zoning Ordinances, requirements of the Site and Operational Plan approvals and Village Municipal Code.

2. DEDICATED STORMWATER DRAINAGE, RETENTION BASIN, ACCESS AND MAINTENANCE EASEMENT AREAS

Non-exclusive easements coextensive with the areas to be shown within site shall be dedicated to the Village from the Owner by a separate recordable document for stormwater drainage,

retention basin, and access and maintenance purposes. After the stormwater retention basins are constructed, they shall be maintained as storm water retention basins and that no filling or other activities or conditions detrimental to its functions as storm water retention basins shall occur or exist within such areas or on any surrounding land shown on the Village approved plans, without written approval of the Village. This covenant shall run with the land, shall be binding upon the Owner, its successors, assigns and successors-in-title, in their capacity as Owner of the Lot 1 shown on the CSM or any portion thereof, and shall benefit and be enforceable by the Village with respect to the Restricted Stormwater Retention Areas. The Lot 1 Owner shall perform the required stormwater and retention basin protection and maintenance functions within the Lot, without compensation and to the satisfaction of the Village.

3. DEDICATED WETLAND PRESERVATION AND PROTECTION, ACCESS AND MAINTENANCE EASEMENT

Nonexclusive easements coextensive with each area shown as a Wetland Preservation and Protection, Access and Maintenance Easement area within Lot 1 on this CSM is hereby dedicated, given, granted and conveyed by the Owner to the Village for wetland protection and preservation and maintenance purposes and uses and for related ingress and egress. Unless the Village exercises the rights granted to it pursuant to these easements, the Village shall have no obligation to do anything related to its rights under this easement.

4. DEDICATED FLOODPLAIN PRESERVATION AND PROTECTION, ACCESS AND MAINTENANCE EASEMENT

Nonexclusive easements coextensive with each area shown as a Dedicated Floodplain Preservation and Protection, Access and Maintenance Easement area within Lot 1 on this CSM is hereby dedicated, given, granted and conveyed by the Owner to the Village for floodplain protection and preservation, maintenance purposes and uses and for related ingress and egress. Unless the Village exercises the rights granted to it pursuant to these easements, the Village shall have no obligation to do anything related to its rights under this easement.

5. DEDICATED TREE PRESERVATION AND PROTECTION, ACCESS AND MAINTNEANCE EASEMENT

Nonexclusive easements coextensive with each area shown as a Dedicated Tree Preservation and Protection, Access and Maintenance Easement area within Lot 1 on this CSM is hereby dedicated, given, granted and conveyed by the Owner to the Village for tree protection and preservation, maintenance purposes and uses and for related ingress and egress. Unless the Village exercises the rights granted to it pursuant to these easements, the Village shall have no obligation to do anything related to its rights under this easement.

RESTRICTIVE COVENANTS

1. The Owner hereby covenants that Dedicated Vision Triangle Easements shall be provided to the Village (Kenosha County) for the future Lot 1 driveways and hereby places restrictions on the referenced land areas because of the location of these easements to be given, granted and

conveyed by the Owner by a separate recordable document to maintain a clear sight line of vision for the travelers in the private driveways at the County Trunk Highway C (Wilmot Road) intersections. There shall be no obstructions, such as but not limited to structures, signage, fences, vehicular parking, trees, plantings, or bus shelters that are permitted within the Dedicated Vision Triangle Easements between the heights of two (2) feet and 10 feet unless approved by the Village. This restriction is for the benefit of the traveling public and shall be enforceable by the Village or Kenosha County.

2. The Owner hereby covenants that the Lot 1 Owner shall have the obligation of protecting and preserving the Wetland Preservation and Protection, Access and Maintenance Easement areas shown on Lot 1 of this CSM. Such preservation and maintenance shall include without limitation and as needed, removing of dead, dying or decayed trees, plant material or evasive species; re-planting wetland plant life as approved by the Village and the Wisconsin Department of Natural Resources; and removing of trash and debris in order to prevent a nuisance condition. No mowing or cutting of the wetland vegetation shall be allowed without the permission of the Village. No buildings, signage or fences shall be erected within the Wetland Preservation and Protection, Access and Maintenance Easement which may cause damage to the wetland area. The covenant shall run with the land and shall be binding upon the Owner of Lot 1 of this CSM, their successors, assigns and successors-in-title of the lands, in their capacity as Owners of such land, and shall benefit and be enforceable by the Village. The Owner of Lot 1 of this CSM shall perform such maintenance as may be needed, without compensation and to the satisfaction of the Village. This covenant will not restrict or prohibit the Owner of Lot 1 on this CSM from seeking and obtaining the required permits and approvals from the appropriate federal or State agencies having jurisdiction to fill or adjust the wetland areas on Lot 1 insofar as the appropriate permits and approvals are obtained from the federal, State and Village agencies prior to commencing any wetland disturbing or fill activities.

To the extent that the Village performs any such wetland related maintenance activities on behalf of the landowner, the Owner of Lot 1 shall be liable for any costs which may be incurred by the Village, which the Village may recover from such Owner as special assessments or special charges under Section 66.0627 (or successors and assigns or other similar provisions) of the Wisconsin Statutes or otherwise according to law. Unless the Village exercises the rights granted to it in the Dedication and Easement Provisions as referenced on this CSM, the Village shall have no obligation to do anything pursuant to its rights under the easement dedications.

3. The Owner hereby covenants that the Lot 1 Owner shall have the obligation of protecting and preserving the Floodplain Preservation and Protection, Access and Maintenance Easement areas shown on Lot 1 of this CSM. Such preservation and maintenance shall include without limitation and as needed, removing of dead, dying or decayed trees, plant material or evasive species as approved by the Village and the Wisconsin Department of Natural Resources and removing the trash and debris in order to prevent a nuisance condition. No buildings, signage or fences shall

be erected within the Floodplain Preservation and Protection, Access and Maintenance Easement which may impede or redirect water flow. The covenant shall run with the land and shall be binding upon the Owner of Lot 1 of this CSM, their successors, assigns and successors-in-title of the lands, in their capacity as Owner of such land, and shall benefit and be enforceable by the Village. The Owner of Lot 1 of this CSM shall perform such maintenance as may be needed, without compensation and to the satisfaction of the Village. This covenant will not restrict or prohibit the Owner of Lot 1 on this CSM from seeking and obtaining the required permits and approvals from the appropriate federal or State agencies having jurisdiction to fill or adjust the floodplain areas on Lot 1 insofar as the appropriate permits and approvals are obtained from the federal, State and Village agencies prior to commencing any floodplain disturbance or fill activities.

To the extent that the Village performs any such floodplain related maintenance activities on behalf of the landowner, the Owner of Lot 1 shall be liable for any costs which may be incurred by the Village, which the Village may recover from such Owner as special assessments or special charges under Section 66.0627 (or successors and assigns or other similar provisions) of the Wisconsin Statutes or otherwise according to law. Unless the Village exercises the rights granted to it in the Dedication and Easement Provisions as referenced on this CSM, the Village shall have no obligation to do anything pursuant to its rights under the easement dedications.

4. The Owner hereby covenants that the Lot 1 Owner shall have the obligation of protecting and preserving the Tree Preservation and Protection, Access and Maintenance Easement areas shown on Lot 1 of this CSM. Such preservation and maintenance shall include without limitation and as needed, removing of dead, dying or decayed trees, plant material or evasive species; re-planting trees and other plant life as approved by the Village and the Wisconsin Department of Natural Resources; and removing of trash and debris in order to prevent a nuisance condition. No mowing or cutting of the wetland vegetation shall be allowed without the permission of the Village. No signage or fences shall be erected within the Tree Preservation and Protection, Access and Maintenance Easement which may cause damage to the wooded area. The covenant shall run with the land and shall be binding upon the Owner of Lot 1 of this CSM, their successors, assigns and successors-in-title of the lands, in their capacity as Owner of such land, and shall benefit and be enforceable by the Village. The Owner of Lot 1 of this CSM shall perform such maintenance as may be needed, without compensation and to the satisfaction of the Village. This covenant will not restrict or prohibit the Owner of Lot 1 on this CSM from seeking and obtaining the required permits and approvals from the appropriate federal or State agencies having jurisdiction to fill or adjust the wetland areas on Lot 1 insofar as the appropriate permits and approvals are obtained from the federal, State and Village agencies prior to commencing any wetland disturbing or fill activities.

To the extent that the Village performs any such tree related maintenance activities on behalf of the landowner, the Owner of Lot 1 shall be liable for any costs which may be incurred by the Village, which the Village may recover from such Owner as special assessments or special

charges under Section 66.0627 (or successors and assigns or other similar provisions) of the Wisconsin Statutes or otherwise according to law. Unless the Village exercises the rights granted to it in the Dedication and Easement Provisions as referenced on this CSM, the Village shall have no obligation to do anything pursuant to its rights under the easement dedications.

5. The Owner hereby covenants that the Lot 1 Owner shall have the obligation of planting, maintaining and replacing the Street Trees located within the County Trunk Highway C (Wilmot Road) right-of-way shown on this CSM. Such planting and maintenance shall include without limitation and as needed planting, staking, mulching, weeding, pruning, watering, replanting, and removing of trash, debris, leaves and brush around the trees in order to prevent a nuisance condition. No driveways, signage, mail boxes, parking areas, structures or fences shall be erected within the right-of-way, which might damage the street trees or might interfere with the Village's or Kenosha County's rights to maintain the public street improvements, unless approved by the Village or Kenosha County. This covenant shall run with the land, shall be binding upon the respective Lot Owner, its successors, successors and assigns and successors-in-title of the land, in their capacity as the Owner of Lot 1, and shall benefit and be enforceable by the Village or Kenosha County. Such street tree planting and maintenance shall be performed regularly by the Lot Owner, without compensation, and to the satisfaction of the Village.

To the extent that the Village performs any such street tree replanting or related maintenance activities on behalf of the landowner, the Owner of Lot 1 of this CSM shall be liable for any costs which may be incurred by the Village, which the Village may recover from such Owner(s) as special assessments or special charges under Section 66.0627 (or successors and assigns or other similar provisions) of the Wisconsin Statutes or otherwise according to law. Unless the Village exercises the rights granted to it in the Dedication and Easement Provisions as referenced on this CSM, the Village shall have no obligation to do anything pursuant to its rights under the easement dedications.

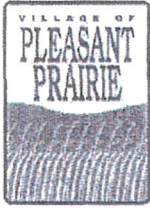
6. The Owner hereby covenants that the Lot 1 Owner shall be responsible for all costs associated with the construction, installation, repair, alteration, replacement, and snow removal of the public sidewalks and private driveways; grading, placement of topsoil, seeding or sodding and mowing of the street terrace area; payment of public street lights energy and maintenance costs; installation and maintenance of mailboxes; extensions and maintenance of private utility and communications facilities; storm water drainage and on-site retention basins to handle storm water from the development site; and other required construction, installation, repair, alteration, replacement, planting and site maintenance in accordance with the terms and conditions of the Village's Land Division and Development Control, Zoning and Municipal Code Ordinances and the requirements of the Site and Operational Plan approvals, without compensation, and to the satisfaction of the Village.

To the extent that the Village performs any such maintenance activities on behalf of the landowner, the Owner of Lot 1 of this CSM shall be liable for any costs which may be incurred by

the Village, which the Village may recover from such Owner as special assessments or special charges under Section 66.0627 (or successors and assigns or other similar provisions) of the Wisconsin Statutes or otherwise according to law. Unless the Village exercises the rights granted to it in the Dedication and Easement Provisions as referenced on this CSM, the Village shall have no obligation to do anything pursuant to its rights under the easement dedications.

RECEIVED

OCT 26 2015



PLEASANT PRAIRIE

Filed _____ 20 _____ Published _____ 20 _____
 Public Hearing _____ 20 _____
 Fee Paid _____ 20 _____ Approved _____ 20 _____
 Notices Mailed _____ 20 _____ Denied _____ 20 _____

VILLAGE OF PLEASANT PRAIRIE, WISCONSIN
COMPREHENSIVE PLAN AMENDMENT 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 Comprehensive Plan as hereinafter requested and affecting the property located at 11019 Wilmet Rd. Pleasant Prairie, WI and

Tax Parcel Number 94-4-122-181-0400

Check all that apply

- Land Use Plan Amendment: To change the land use designation from the Single Family Residential land use designation to the Government and Institutional w/ Urban Reserve land use designation.
- Neighborhood Plan Amendment for the Pleasant Farms Neighborhood
- Other Amendment to the Comprehensive Plan (specify) _____

Petitioner's interest in the requested amendment: Contract Land Purchaser to build Church and school campus

I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request to determine additional information that may be needed for this 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: VRX Farm LLC
 Signature: [Signature]
 Address: 2040 Golf Rd. Suite 127
Glenview IL 60025
 (City) (State) (Zip)
 Phone: (847) 295-5070
 Fax: (847) 295-3161
 Email: _____
 Date: 10/23/15

OWNER'S AGENT:

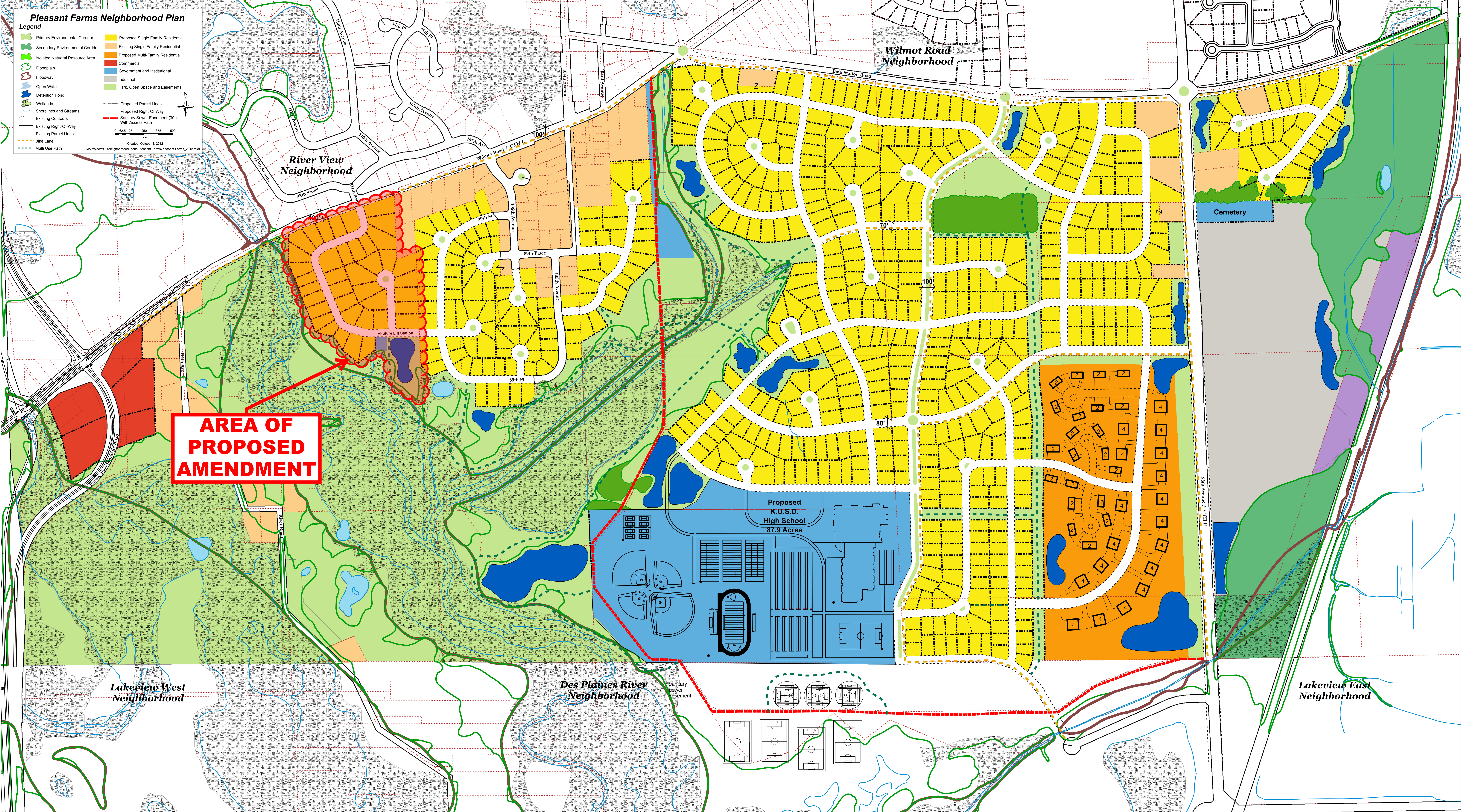
Print Name: Dave Riley
 Signature: [Signature]
 Address: 3446 16th Pl.
Kenosha WI 53144
 (City) (State) (Zip)
 Phone: 262-620-9676 (m)
 Fax: 262-605-2102
 Email: daver@rileycon.com
 Date: 10-19-15

CODE 1511-001

Pleasant Farms Neighborhood Plan

- Legend**
- Primary Environmental Corridor
 - Secondary Environmental Corridor
 - Isolated Natural Resource Area
 - Floodplain
 - Open Water
 - Detention Pond
 - Wetlands
 - Shorelines and Streams
 - Existing Contours
 - Existing Right-Of-Way
 - Existing Parcel Lines
 - Proposed Parcel Lines
 - Proposed Right-Of-Way
 - Sanitary Sewer Easement (30' With Access Path)
 - Proposed Single Family Residential
 - Existing Single Family Residential
 - Proposed Multi-Family Residential
 - Commercial
 - Government and Institutional
 - Industrial
 - Park, Open Space and Easements
 - Proposed Sewer Easement (30' With Access Path)
 - Sanitary Sewer Easement (30' With Access Path)
 - Bike Lane
 - Multi Use Path

AREA OF PROPOSED AMENDMENT



Wilmot Road Neighborhood

River View Neighborhood

Lakeview West Neighborhood

Des Plaines River Neighborhood

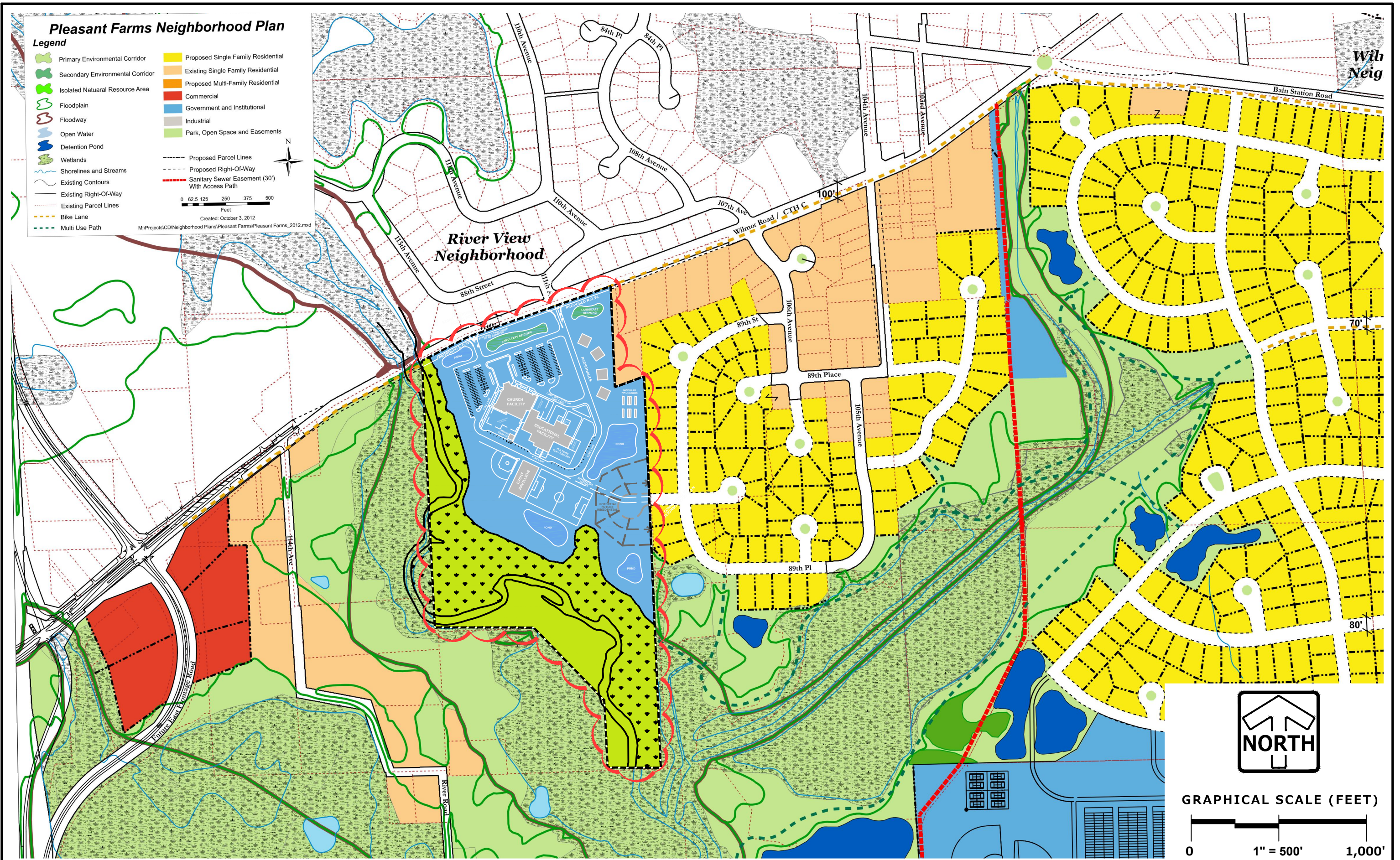
Lakeview East Neighborhood

Proposed K.U.S.D. High School
87.9 Acres

Future Lift Station

Cemetery

Created: October 3, 2012
M:\Projects\CD\Neighborhood Plans\Pleasant Farms\Pleasant Farms_2012.mxd



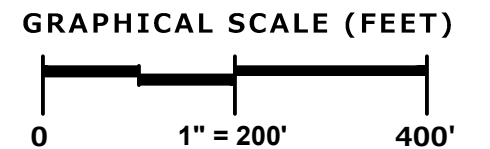
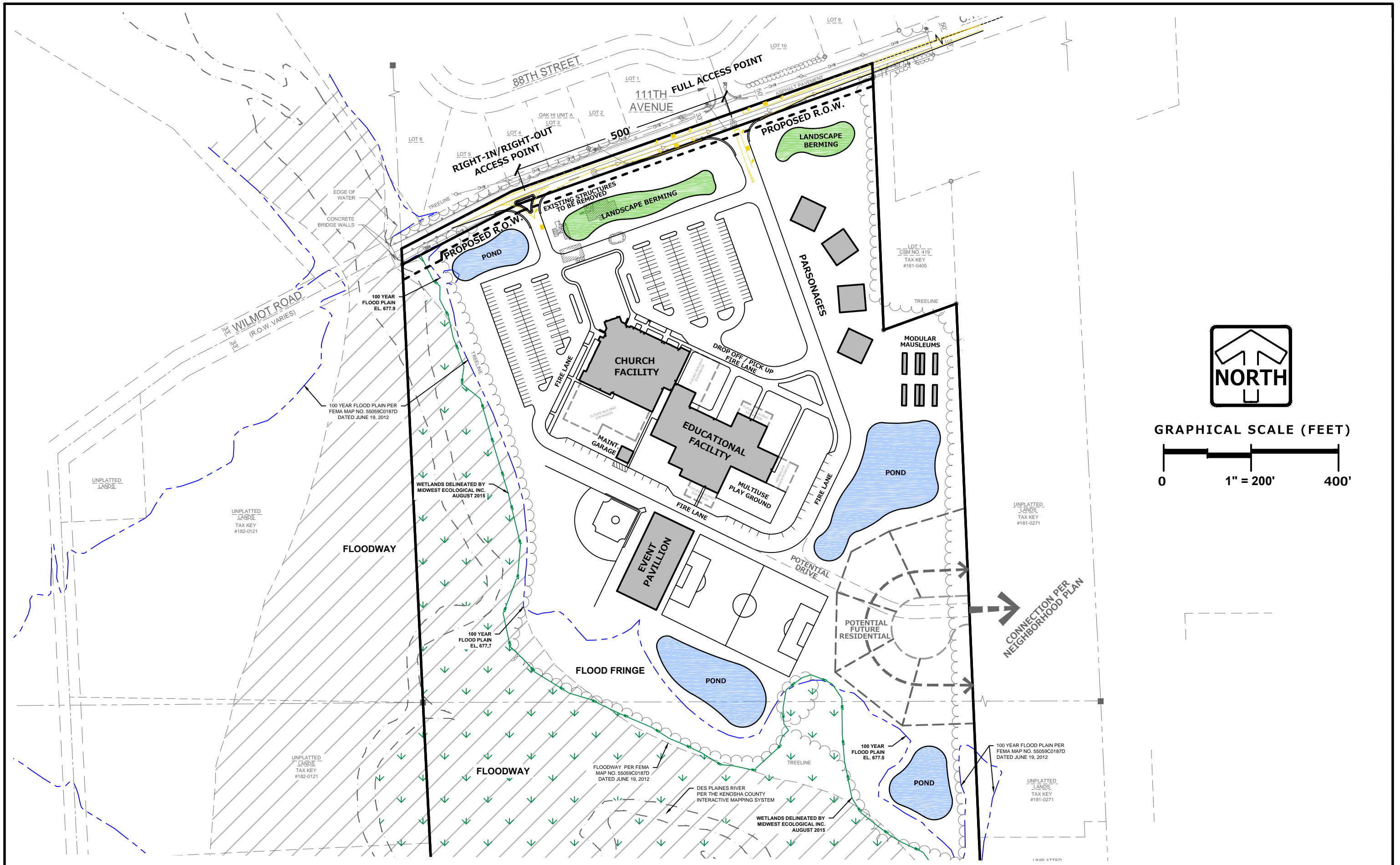
BETHANY CHURCH - PROPOSED NEIGHBORHOOD PLAN AMENDMENT

PINNACLE ENGINEERING GROUP

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | ADM@PINNACLE-ENGR.COM

10/16/2015

PLAN | DESIGN | DELIVER



BETHANY LUTHERAN CHURCH - CONCEPT SITE LAYOUT (v3)

10/16/2015

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION
RESOLUTION #15-19
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 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 the Village Zoning Map; and

WHEREAS, Neighborhood Plans serve as a refinement to the 2035 Comprehensive Land Use Map and identify the location of future lot and roadway configurations, proposed floodplain boundary adjustments, future stormwater facilities and access to roadways pursuant to the land uses identified on the 2035 Comprehensive Land Use Plan Map; and

WHEREAS, the Village has received a request to amend the Pleasant Farms Neighborhood Plan and the Comprehensive Land Use Plan related to the property located at 11019 Wilmot Road (Tax Parcel Number 92-4-122-181-0400); and

WHEREAS, the entire Pleasant Farms Neighborhood is generally bounded by Bain Station Road and Wilmot Road (CTH C) on the north, IH-94 on the west, the CP Railroad to the east (just east of 88th Avenue) and approximately 93rd Street on the south in a part of U.S. Public Land Survey Sections 16, 17 and 18, Township 1 North, Range 22 East; and

WHEREAS, the Pleasant Farms Neighborhood Plans is proposed to be amended to include the proposed layout of the Bethany Church Campus development on said property; and

WHEREAS, the Village 2035 Land Use Plan Map 9.9 is proposed to be amended to change the Low-Medium Density Residential land use designation and a portion of the Park, Recreational And Other Open Space Lands (that are not wetland or 100 year floodplain) to the Governmental and Institutional Lands land use designation, and to amend the urban reserve designation to correspond with the Governmental and Institutional Lands land use designation; and to correct the map to reflect the field delineated wetlands on the property to correct the land use from Interpolated Wetlands to Field Verified Wetlands designation. In addition, Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan is proposed to be updated to reflect the above noted changes to the 2035 Land Use Plan Map 9.9; and

WHEREAS, on November 14, 2015 the required 30-day notice was published in the Kenosha News for the December 14, 2015 public hearing to be held by the Village Plan Commission and on November 13, 2015, notices were sent to property owners within 300 feet of the proposed Neighborhood Plan amended area; and

NOW THEREFORE, BE IT RESOLVED, that pursuant to Sections 62.23 (3) (b) and 66.1001 (4) (b) of the Wisconsin Statutes, the Village of Pleasant Prairie Plan Commission hereby recommends approval of the following amendments to the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan:

1. To amend a portion of the Pleasant Farms Neighborhood Plan to include the proposed layout of the Bethany Church Campus development as presented at the December 14, 2015 public hearing and shown and described in **Exhibit 1**.
2. To amend the Village 2035 Land Use Plan Map 9.9 as shown on **Exhibit 2** to change the Low-Medium Density Residential land use designation and a portion of the Park, Recreational And Other Open Space Lands (that are not wetland or 100 year floodplain) to the Governmental and Institutional Lands land use designation, and to amend the urban reserve designation to correspond with the Governmental and Institutional Lands land use designation; and to correct the map to reflect the field delineated wetlands on the property to correct the land use from Interpolated Wetlands to Field Verified Wetlands designation.

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

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

Adopted this 14th day of December 2015.

ATTEST:

VILLAGE OF PLEASANT PRAIRIE

Michael Serpe
Vice Plan Commission Chairman

Thomas W. Terwall
Plan Commission Chairman

Date Posted: _____

19-Comp Plan Amend- Pleasant Farms NP and LU amend-Bethany

Neighborhood Plan 17 of Appendix 9-3
Pleasant Farms Neighborhood

Pleasant Farms Neighborhood Plan has been prepared and was adopted by the Plan Commission on February 25, 2008 by Resolution #08-07 and the Village Board adopted a resolution of support on April 7, 2008 by Resolution #08-12. The Plan was further amended by Plan Commission Resolution #12-11 and Ordinance #12-33 as approved by the Village Board on October 15, 2012.

The Plan was further amended by Plan Commission Resolution #15-19 and Ordinance # _____ as approved by the Village Board on _____, 2015.

The Pleasant Farms Neighborhood is bounded by the CP Railway east of 88th Avenue on the east, IH-94 on the west, Bain Station Road on the north and at approximately 93rd Place on the south in the Village. In 2012, this Neighborhood was primarily farmland with a number of home sites adjacent to the arterial roadways, with the exception of residential development in the vicinity of CTH C and 104th Avenue and along 114th Avenue (River Road) south of CTH C.

The Pleasant Farms Neighborhood Plan includes:

- **FREEWAY COMMERCIAL AREAS:** Approximately 14 acres of land within the Neighborhood is identified as Freeway Commercial. The Freeway Commercial area includes the area south of CTH C east and west of the reconstructed East Frontage Road of IH-94.
- **INDUSTRIAL AREA:** Approximately 65 acres of land within the Neighborhood is identified as Industrial. The Industrial area includes land on the east side of 88th Avenue adjacent to the Pleasant Prairie Power Plant.
- **GOVERNMENT/INSTITUTIONAL AREA (INCLUDING UTILITY/TRANSPORTATION AREA):** Approximately ~~105~~ **138** acres of land within the Neighborhood is identified as Governmental/Institutional and Utility/Transportation land uses, including: **the 33 acres of land at 11019 Wilmot Road for the proposed Bethany Lutheran Church Campus**, the existing utility easement adjacent to the CP Railroad, the existing Village owned land at 10201 Wilmot Road, the Kenosha County Cemetery on the east side of 88th Avenue, and the approximately 88 acre future high school site in the south central portion of the Neighborhood adjacent to Prairie Springs Park. [The Village staff continues to work with the Kenosha Unified School District on proposed developments and the locating of future schools. This site is intended for development in approximately 15 years depending on the development status of the surrounding neighborhood and the need for another high school. In addition, the high school site could share athletic facilities and stormwater management facilities with the Regional Park adjacent to and south of the future school site.]
- **OPEN SPACE:** This Neighborhood Plan identifies approximately 475 acres or 40% of the lands within the Neighborhood would remain as open space.
 - **FLOODPLAIN AREAS:** The 100-year floodplain (approximately 336 acres) is currently located adjacent to the Des Plaines River in the west and central portion of the Neighborhood and adjacent to the Jerome Creek located south of the Neighborhood Plan and along the CP Railway on the eastern portion of the Neighborhood. Prior to consideration of any Conceptual Plans on these properties, the 100-year floodplain shall be field verified in accordance with the Village floodplain maps and ordinance regulations. Development in the floodplain is restricted to open spaces that do not interrupt the natural flow of the water. Any development that constricts the flow of water or significantly reduces floodplain storage volumes and may create upstream and/or downstream flooding problems or reduce the capacity of the floodplain to store

water. In some instances, property can be removed from the floodplain provided proper approvals are obtained from the Village and several other agencies including the Wisconsin Department of Natural Resources (WI DNR) and the Federal Emergency Management Agency (FEMA). Any area removed from the floodplain through the placement of fill must be contiguous to land lying outside the floodplain. In addition, the volume of floodplain removal must be created in the vicinity of the filled area on a one-to-one basis. The land that is removed from the floodplain must be filled to an elevation of at least two (2) feet above the elevation of the 100-year regional flood elevation.

- **WETLAND AREAS:** The Neighborhood Plan identifies approximately 210 acres of land as wetlands. Prior to consideration of any Conceptual Plans, the wetlands shall be field verified by a certified biologist in accordance with the Village wetland regulations and approved by the WI DNR. Some of the wetlands within the undeveloped area have been field verified. Upon field verification of wetlands the Neighborhood Plan may need to be altered to reflect actual conditions. The wetland areas are intended to be preserved and protected from Development.
- **NEIGHBORHOOD PARK:** The Neighborhood Plan identifies approximately 14 acres of land for a Neighborhood Park to be located south of Bain Station Road, west of 88th Avenue and along 94th Avenue. The Plan also indicates that the Park is interconnected to a pedestrian trail system. The Park location and trail system is consistent with the Village's Park and Open Space Plan component of the Village Comprehensive Plan.
- **OTHER OPEN SPACE:** The Neighborhood Plan indicates locations of existing retention facilities within the developed areas and proposed areas for future storm water management facilities. At the time that any Conceptual Plans are to be considered for any portion of the Neighborhood, the developer's engineer will be required to evaluate the development site, based on actual field conditions and shall present a storm water management facility plan which meets the Village requirements. In addition, approximately 11 acres of woodlands are proposed to be preserved in the neighborhood. At the time that any Conceptual Plans are to be considered for any portion of the Neighborhood, the developer will need to have a detailed tree survey prepared and any trees greater than 8" in diameter may be required to be preserved.
- **RESIDENTIAL AREA:** The Neighborhood is primarily farm land with a number of home sites adjacent to the arterial roadways with the exception of residential development in the vicinity of CTH C and 104th Avenue including the Heritage Valley Subdivision, Crosby's Addition to Pleasant Prairie Subdivision and other residential development along CTH C and 104th Avenue and along 114th Avenue south of CTH C.

There are 81 existing single family lots/homes within the Neighborhood and ~~743~~ **704** new single family lots and 114 multi-family units (21-2 unit buildings and 18-4 unit buildings) proposed to be developed within the Neighborhood. Therefore, full development of this Neighborhood could provide for ~~938~~ **899** dwelling units to be developed on approximately ~~431~~ **398** acres of land.

In accordance with the Village Comprehensive Plan, the overall net density for the Neighborhood is recommended to be within the Lower-Medium Density Residential land use category with the average lot area being between 12,000 square feet 18,999 square feet per dwelling unit. This allows for some areas of the Neighborhood to have larger lots while some areas have smaller lots. The net density of the Neighborhood as shown on the proposed Neighborhood Plan is ~~18,424~~ **19,285** square feet per dwelling unit (approximately ~~430~~ **398** net residential acres--excluding existing and future rights-of-way, Commercial, Government/Institutional, Industrial, Public Park, 100-year

floodplain and wetlands multiplied by 43,560 square feet in an area divided by ~~938~~ **899** dwelling units). The lot size per dwelling is within the range provided in the Village's Comprehensive Plan.

- **POPULATION PROJECTIONS FOR THE NEIGHBORHOOD:** The vacant portions of this Neighborhood will not develop until the property owners wish to develop their land; which makes Neighborhood planning essential for the orderly growth of the community and establishes a framework as to how development should occur and, if and when it occurs. The Neighborhood Plan is a guide for property owners and developers—therefore the population will increase on an incremental basis as the Neighborhood develops over time.

Current population within the Neighborhood:

- 81 dwelling units
- 220 persons (which includes an estimated 50 school age children)

Projected population within the neighborhood is based on the total number of households proposed for this neighborhood when fully developed:

- ~~938~~ **899** dwelling units
- ~~2,542~~ **2,437** persons (which includes an estimated ~~575~~ **551** school age children)

The Village provides copies of proposed developments to the Kenosha Unified School District to assist in their long range planning. Pursuant to the information provided by the Kenosha Unified School District a total of ~~393~~ **378** new public school age children are likely to come from this neighborhood at full build-out.

[Note: Based on the 2010 Census information for the Village of Pleasant Prairie the average number of persons per household is 2.71 and school age children between the ages of 5 and 19 make up 22.6% of the population. Pursuant to the information provided by the Kenosha Unified School District for Pleasant Prairie the number of new students that will attend public school is 42% of the number of dwelling units.]

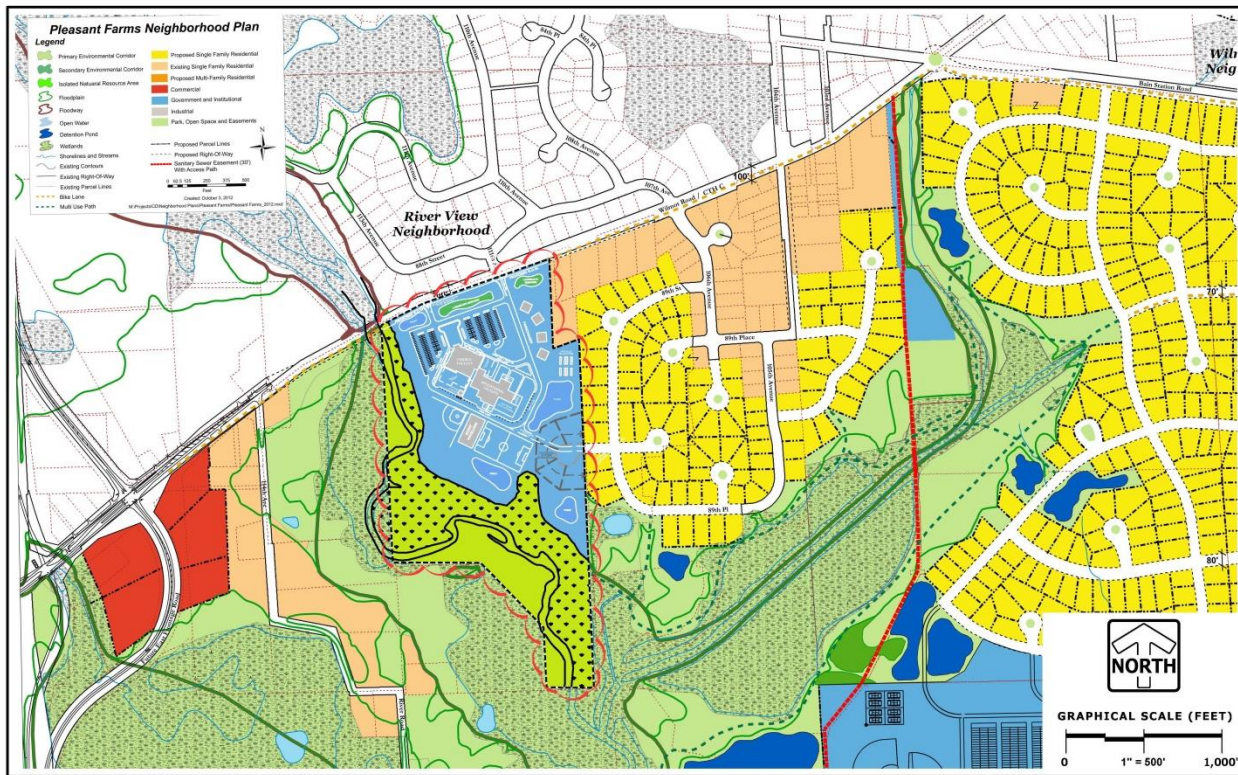
- **ACCESS TO ARTERIAL ROADS:** 94th Avenue is intended to be a collector street extending through the Neighborhood from the future high school site to STH 50. Access to CTH H and to CTH C will be limited with no direct driveway or private roadway access. This roundabout locations within the neighborhood will be further evaluated at the time that development is proposed.

**Neighborhood Plan Map 17
Pleasant Farms Neighborhood**

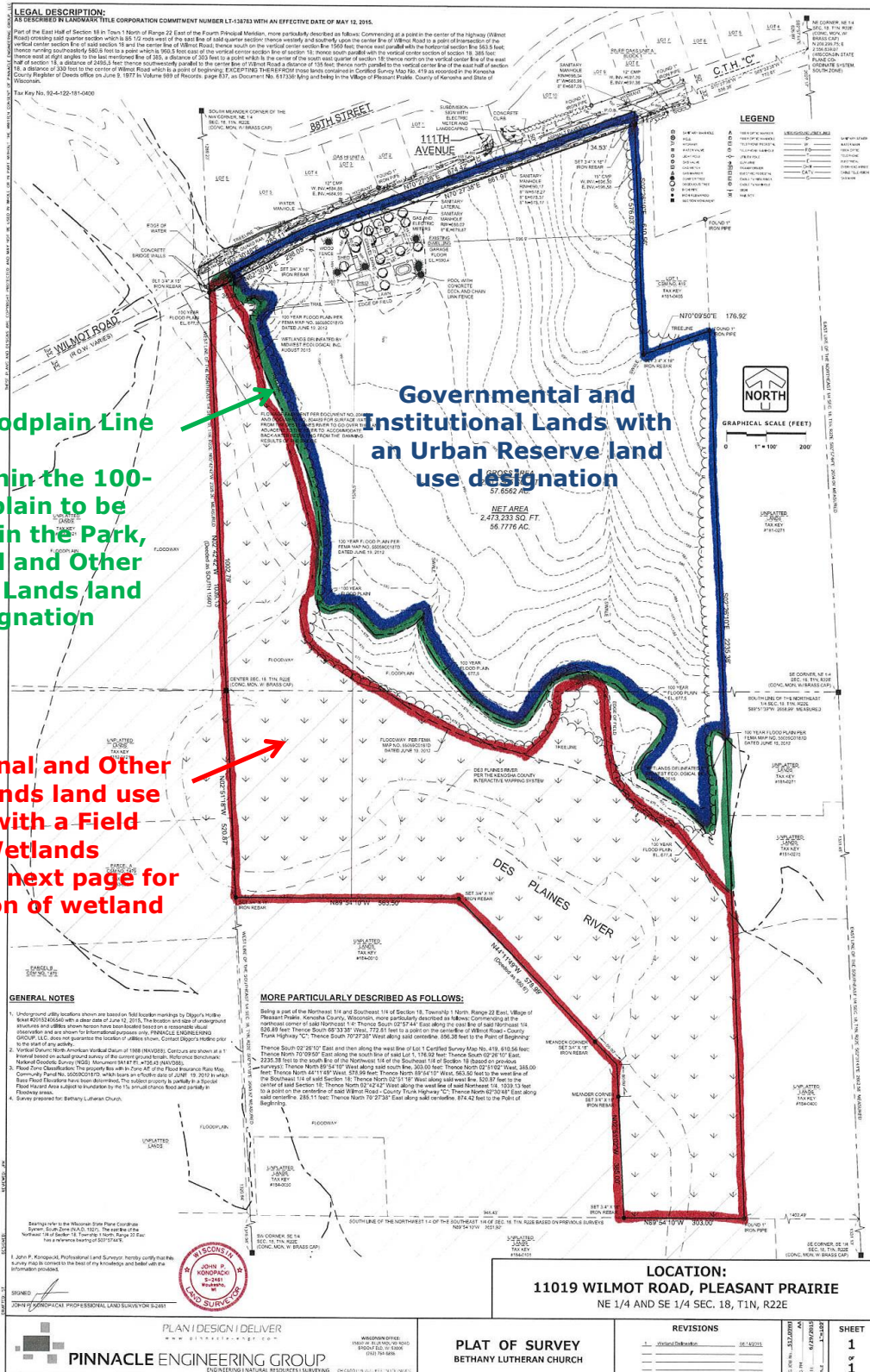
**Adopted by Plan Commission Resolution #08-07 and Village Board Resolution #08-12
and amendments adopted by Plan Commission Resolution #12-11 and Ord. #12-33.**



Neighborhood Plan Map 17
Pleasant Farms Neighborhood amendment
Adopted by Plan Commission Resolution #15-19 and Ord. #15-_____.



Amendments to the 2035 Comprehensive Land Use Plan Map 9.9



100-Year Floodplain Line
 The area within the 100-year floodplain to be located within the Park, Recreational and Other Open Space Lands land use designation

Governmental and Institutional Lands with an Urban Reserve land use designation

Park, Recreational and Other Open Space Lands land use designation with a Field Verified Wetlands designation-See next page for legal description of wetland

LOCATION:
 11019 WILMOT ROAD, PLEASANT PRAIRIE
 NE 1/4 AND SE 1/4 SEC. 18, T1N, R22E

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|----------|---------------------|
| 1 | 04/20/20 | Original Submission |
| 2 | 04/20/20 | REVISION |
| 3 | 04/20/20 | REVISION |
| 4 | 04/20/20 | REVISION |
| 5 | 04/20/20 | REVISION |

SHEET
 1
 1

PLAN | DESIGN | DELIVER
PINNACLE ENGINEERING GROUP
 ENGINEERING | NATURAL RESOURCES | SURVEYING
 1100 W. WISCONSIN ST., SUITE 200, MILWAUKEE, WI 53233
 (414) 381-1111

PLAT OF SURVEY
 BETHANY LUTHERAN CHURCH

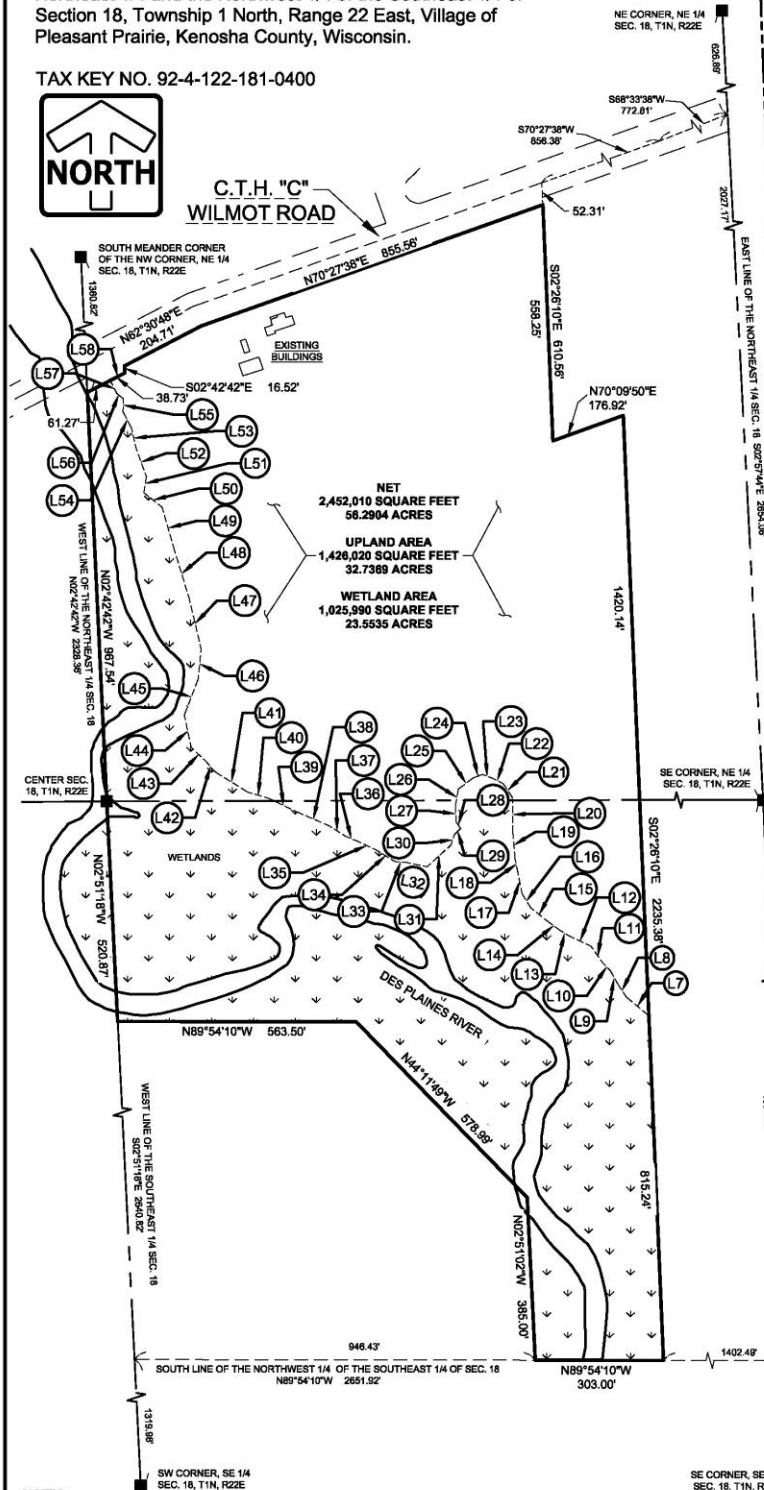


LEGAL DESCRIPTION:
Part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin.

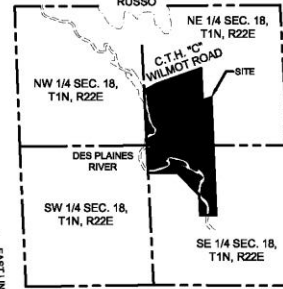
TAX KEY NO. 92-4-122-181-0400



C.T.H. "C"
WILMOT ROAD



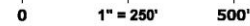
VICINITY SKETCH
SCALE 1"=2000'



LINE TABLE

| LINE NO. | BEARING | DISTANCE |
|----------|-------------|----------|
| L7 | N49°56'55"W | 70.07' |
| L8 | N33°30'59"W | 34.20' |
| L9 | N28°33'03"W | 37.13' |
| L10 | N44°11'01"W | 26.85' |
| L11 | N35°23'22"W | 47.81' |
| L12 | N64°48'15"W | 56.99' |
| L13 | N58°48'17"W | 25.46' |
| L14 | N53°26'40"W | 37.32' |
| L15 | N51°23'44"W | 49.16' |
| L16 | N31°46'41"W | 38.87' |
| L17 | N11°15'44"W | 58.36' |
| L18 | N11°46'57"W | 25.41' |
| L19 | N04°47'03"W | 64.97' |
| L20 | N00°34'00"W | 80.78' |
| L21 | N33°56'17"W | 39.69' |
| L22 | N64°14'11"W | 29.51' |
| L23 | N69°05'44"W | 23.45' |
| L24 | S70°31'04"W | 22.46' |
| L25 | S52°59'16"W | 44.79' |
| L26 | S00°48'27"W | 40.62' |
| L27 | S02°23'14"E | 37.57' |
| L28 | S34°48'51"E | 18.86' |
| L29 | S45°25'12"W | 20.45' |
| L30 | S18°18'06"W | 26.22' |
| L31 | S47°38'36"W | 76.57' |
| L32 | N78°00'32"W | 49.26' |
| L33 | N85°04'27"W | 28.53' |
| L34 | N57°54'24"W | 50.72' |
| L35 | N65°04'03"W | 51.35' |
| L36 | N67°41'33"W | 28.10' |
| L37 | N57°43'28"W | 48.26' |
| L38 | N66°47'33"W | 77.21' |
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| L42 | N40°37'14"W | 32.07' |
| L43 | N46°18'42"W | 48.71' |
| L44 | N11°56'39"W | 77.53' |
| L45 | N21°03'16"E | 91.83' |
| L46 | N08°10'48"E | 71.64' |
| L47 | N13°17'46"W | 121.47' |
| L48 | N16°57'28"W | 122.83' |
| L49 | N18°58'13"W | 102.35' |
| L50 | N51°30'18"W | 54.99' |
| L51 | N08°35'08"E | 39.21' |
| L52 | N20°10'36"W | 71.69' |
| L53 | N12°41'20"W | 47.86' |
| L54 | N27°08'13"W | 43.96' |
| L55 | N00°50'50"E | 31.11' |
| L56 | N51°08'18"W | 19.16' |
| L57 | N28°50'43"W | 34.12' |
| L58 | N62°30'48"E | 100.00' |

GRAPHICAL SCALE (FEET)



NOTES:
- Wetlands delineated by Midwest Ecological, Inc. August 2015.
- Location of the DES PLAINES RIVER per the Kenosha County Interactive Mapping System.

WETLAND MAP

PINNACLE ENGINEERING GROUP
15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

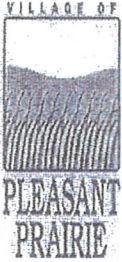
WWW.PINNACLE-ENGR.COM PEG

PLAN | DESIGN | DELIVER
PEG JOB#517.00

09/15/2015

RECEIVED

OCT 26 2015



PLEASANT PRAIRIE

| | | | |
|----------------|----|-----------|----|
| Filed | 20 | Published | 20 |
| Public Hearing | 20 | | 20 |
| Fee Paid | 20 | Approved | 20 |
| Notices Mailed | 20 | Denied | 20 |

VILLAGE OF PLEASANT PRAIRIE
CONCEPTUAL PLAN APPLICATION

1. Development Name: Bethany Church Campus
2. General Location of Development: 11019 Wilmot Rd.
3. Tax Parcel Number(s): 94-4-122-181-0400
4. Number of Lots: 1-6+ Number of Outlots: N/A
5. Size of Development: 57± acres.
6. The Development is proposed to be constructed in Phases: Yes No
7. The Development abuts or adjoins a State Trunk Highway: Yes No
8. The Development abuts or adjoins a County Trunk Highway or a Kenosha County Park or the Kenosha County Bike Trail: Yes No
9. The following number and types of plans shall be submitted with this application:
 - 10 full size sets of Conceptual Plan
 - 1 copy of the Conceptual Plan reduced to 11" by 17"
 - Conceptual Plan application fee
 - 10 sets of Conceptual Engineering Plan
 - Phasing Plan, if applicable
 - Draft of Declarations, Covenant, Restrictions and any Easement Documents
 - Any other information as specified by the Village

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: WPK Farm LLC
 Signature: [Signature]
 Address: 2640 Golf Rd Suite 127
Glenview IL 60025
 (City) (State) (Zip)
 Phone: (847) 295-5070
 Fax: (847) 295-3161
 Date: 10/23/15

OWNER'S AGENT:

Print Name: Dave Riley
 Signature: [Signature]
 Address: 3446 16th Pl.
Kenosha WI 53144
 (City) (State) (Zip)
 Phone: 262-620-9676 (m)
 Fax: 262-605-2102
 Date: 10-19-15

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.

Bethany Lutheran Church exists to share the good news of Jesus Christ with as many as possible through a variety of avenues. We gather people of all ages for worship, fellowship, and spiritual education. We also look to be an active community partner, offering opportunities to residents for recreation, social interaction and religious instruction. Our nationally accredited K-8 school strives to offer Christian education, character development and enrichment through athletics and the arts. We will also offer early childhood programs, before and after school care and day care for children who are not yet school age.

A list of potential uses/facilities/structures is attached.

We anticipate no adverse impacts to the neighborhood.

(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.

Not Applicable

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

We anticipate a 20,000 square foot worship facility and a 31,000 square foot school facility.

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

Buildings will typically be in operation and open to the public between the hours of 6 AM and 9 PM. Deliveries are typically made between 8 AM and 5 PM weekdays. Sporadic deliveries may occur on weekends for special events (funerals, weddings, etc.).

The church will be used most intensely on Saturday evenings from 5 to 7 PM and Sunday mornings from 7:30 AM to 12 PM. Weekday evening meetings and programs usually end before 9 PM.

School hours are 8 AM to 3 PM but early school drop-off is permitted beginning at 6 AM and after-school activities typically run to 6 PM and occasionally later.

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

We anticipate approximately 10 full-time and 5 part-time employees.

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

During weekday school hours we anticipate 11-12 employees, fewer before and after and on weekends.

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

We anticipate a maximum of 15 employees at any one time.

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

The elementary school population is estimated at 125 students. The church anticipates 50-75 worshipers on Saturday evenings and 325-350 on typical Sunday mornings.

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

In review of the multiple uses, it appears as the Church Restriction will require the highest/peak parking count requirement.

Section 420-50 - Church or Synagogue: 1 space per 4 seats in the principal place of worship

Assuming 273 stalls are provided, the parking could support a peak of 1,092 seating/capacity for events/services/activities.

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

Existing: 0 **Proposed:** 273 (as currently illustrated) **ADA:** As required by law

Given the conceptual nature of the buildings/facilities, the parking will be adjusted to meet ordinance requirements upon evolution of the concept to final plans. The site design has adequate area to add/subtract parking as needed to accommodate final parking count requirements.

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

We anticipate the following number of automobile trips to and from the site:

- Weekdays – 170 trips
- Saturday - 60 trips
- Sunday – 350 trips

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

We anticipate the following number of truck trips to and from the site:

- Weekdays – 10 trips
- Weekends – 4 trips

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

We will only store and use supplies typical for a church and elementary school.

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

We will only use equipment and machinery typical for a church and elementary school.

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

Not applicable

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

Not applicable

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

Facilities will have electronic doors and interior and exterior camera surveillance.

(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.

As is typical of churches, we will employ a combination of voluntary and paid help.

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

We anticipate no adverse impacts to the neighborhood.

(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.

We are not aware that any approvals or permits are required outside of those required by the Village of Pleasant Prairie for purposes of new building construction.

(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.

Church

- Sanctuary
- Chapel
- Fellowship / Gathering Area
- Educational Wing
- Office / Counseling Areas
- Conference Center
 - Wedding
 - Funeral
 - Shower
 - Event Rental
- Bookstore
- Coffee Area

School

- K-8 Classrooms
- Specialty Classrooms
- Library
- Offices
- Cafeteria
- Gym / Rec Center
- Auditorium
- Before / After School Care

Early Childhood Center

- Infant / Toddler Day Care
- K3 & K4 Preschool

Adult / Special Needs Day Care

Parsonage / Teacherage (3-4 Single-family Dwellings)

Outdoor

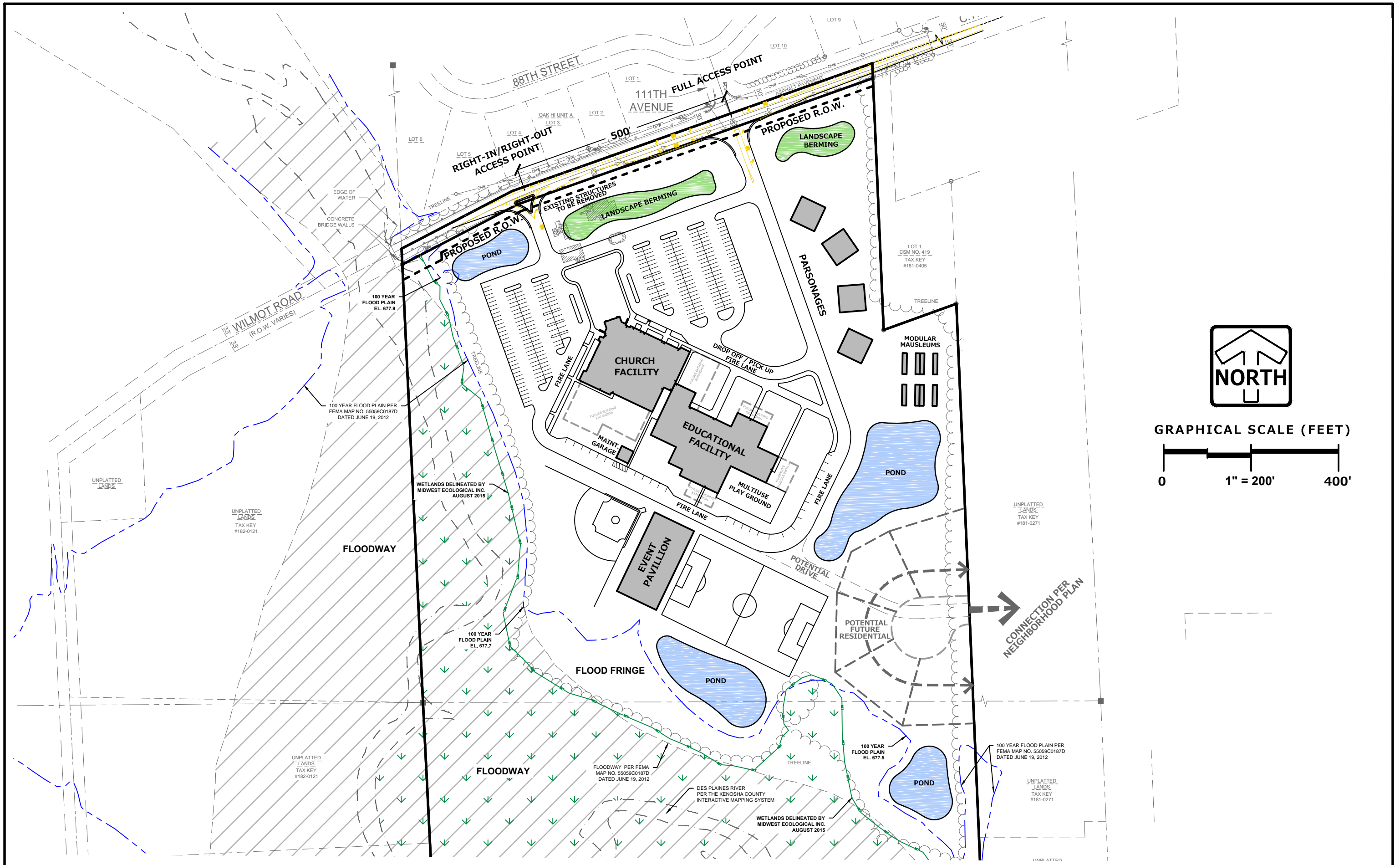
- Playgrounds
- Sports Fields
- Event Pavillion
- Walking / Jogging Trails
- Garden

Equipment Garage

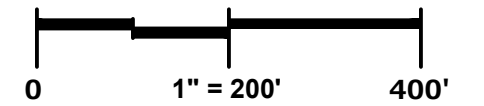
Mausoleum

Uses That Will Not Be Engaged In

- Community-Based Residential Facility
- Homeless Shelter
- Mental Health Clinic



GRAPHICAL SCALE (FEET)



BETHANY LUTHERAN CHURCH - CONCEPT SITE LAYOUT (v3)

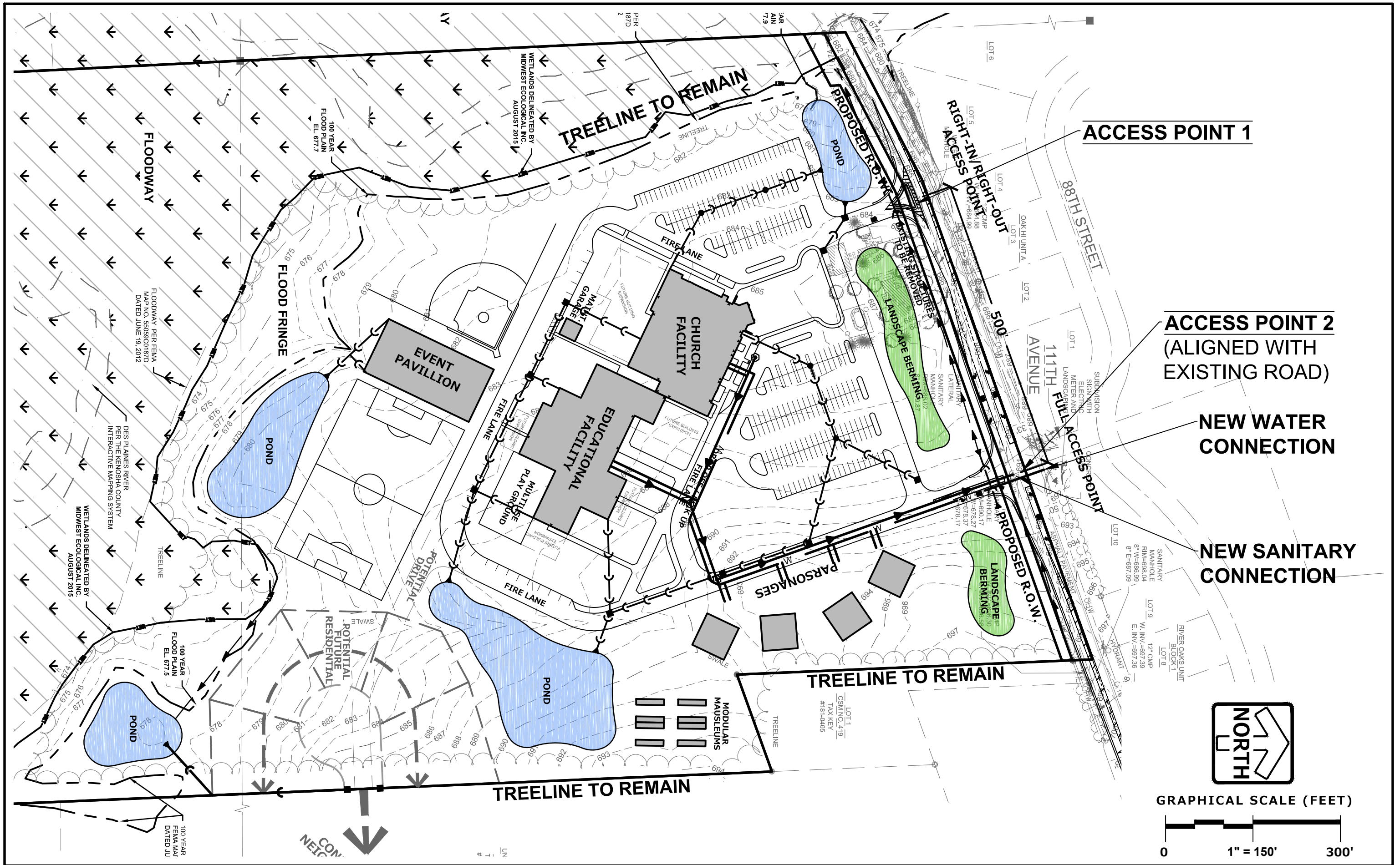


PINNACLE ENGINEERING GROUP

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | ADMIN@PINNACLE-ENGR.COM

10/16/2015

PLAN | DESIGN | DELIVER



BETHANY CHURCH - ENGINEERING CONCEPT LAYOUT

PINNACLE ENGINEERING GROUP

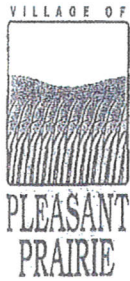
15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | ADMIN@PINNACLE-ENGR.COM

10/16/2015

PLAN | DESIGN | DELIVER

RECEIVED

OCT 26 2015



PLEASANT PRAIRIE

| | | | |
|----------------------|----|-----------------|----|
| Filed _____ | 20 | Published _____ | 20 |
| Public Hearing _____ | 20 | _____ | 20 |
| Fee Paid _____ | 20 | Approved _____ | 20 |
| Notices Mailed _____ | 20 | Denied _____ | 20 |

VILLAGE OF PLEASANT PRAIRIE, WISCONSIN
ZONING MAP AND TEXT AMENDMENT 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 rezoned from the present A-2 District(s) to I-2 (AGO)/C-1/F.P.O. District(s). The property petitioned to be rezoned is located at: 11019 Wilmet Rd (address) and is legally described as follows: Please refer to attached DRAFT CSM

Tax Parcel Number(s): 94-4-122-181-0400

The proposed use for this property is: Institutional religious campus with worship, educational, recreational facilities to support its congregation

Petitioner's interest in the requested rezoning: Contract Land Purchaser

Compatibility with adjacent land uses: _____

I (We) are also requesting a Zoning Text Amendment to amend Section _____ of the Village Zoning Ordinance.

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

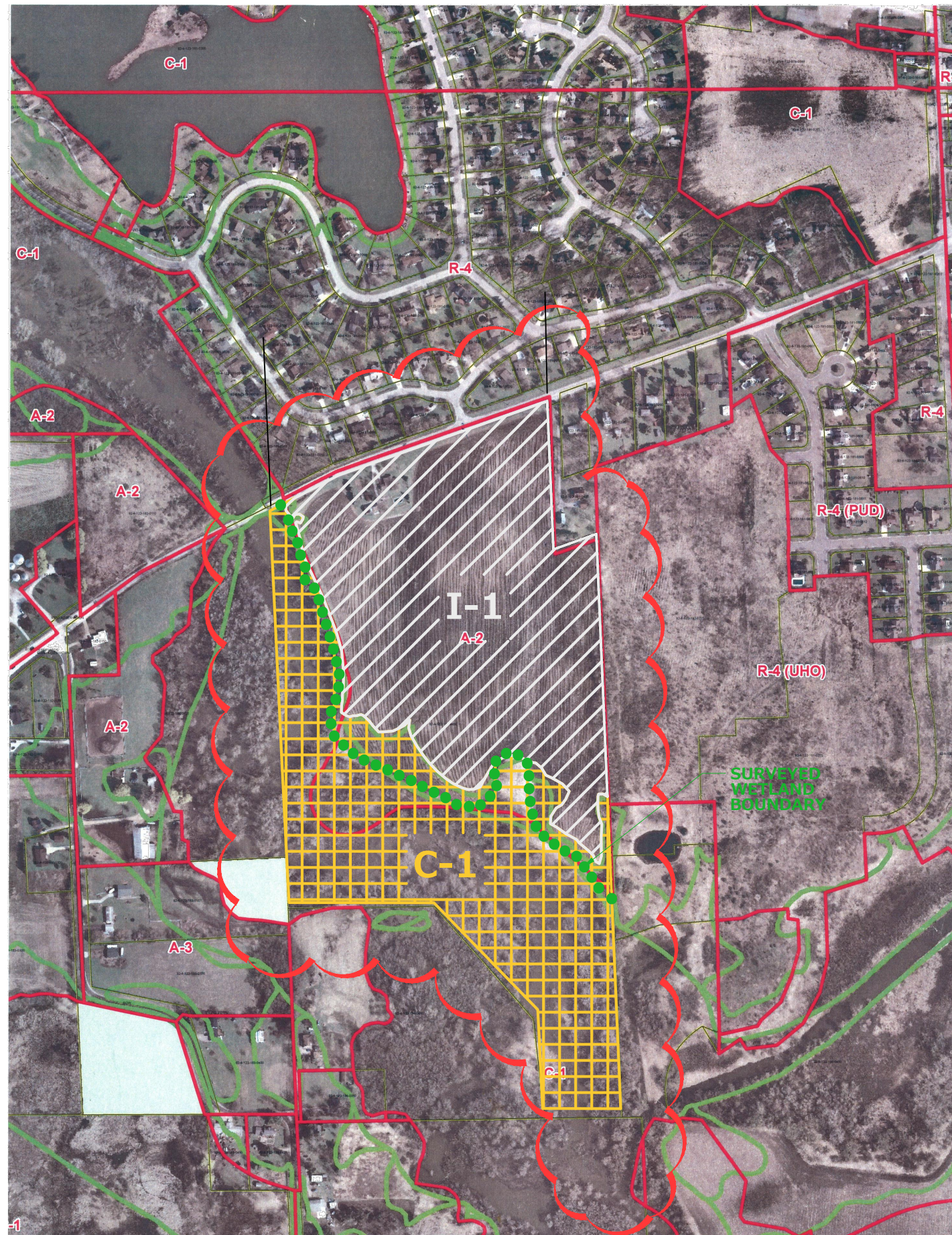
I, (We), hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge.

PROPERTY OWNER:

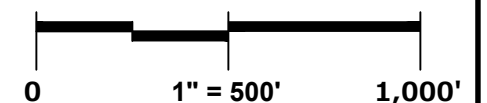
Print Name: VPX Farm LLC
 Signature: Wm Jackman
 Address: 2640 Golf Rd Suite 127
Glencia IL 60025
 (City) (State) (Zip)
 Phone: 847-295-5070
 Fax: 847-295-3161
 Email: _____
 Date: 10/23/15

OWNER'S AGENT:

Print Name: Dave Riley
 Signature: Joe Riley
 Address: 3446 16th Pl
Kenosha WI 53144
 (City) (State) (Zip)
 Phone: 262-620-9676 (m)
 Fax: 262-605-2102
 Email: daver@rileycon.com
 Date: 10-19-15



GRAPHICAL SCALE (FEET)



BETHANY CHURCH - PROPOSED ZONING MAP

PINNACLE ENGINEERING GROUP

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | ADM@PINNACLE-ENGR.COM

10/16/2015

PLAN | DESIGN | DELIVER

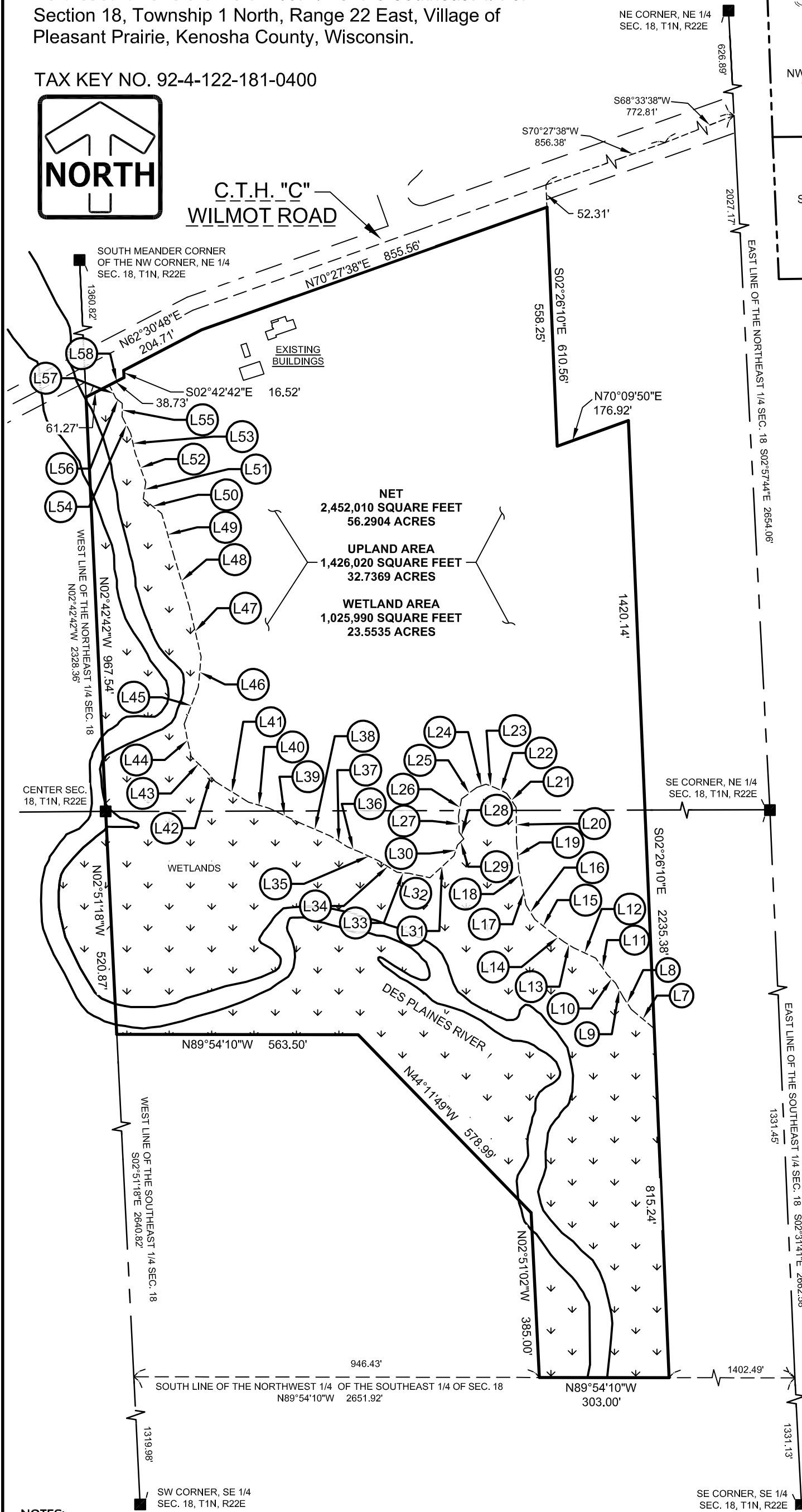
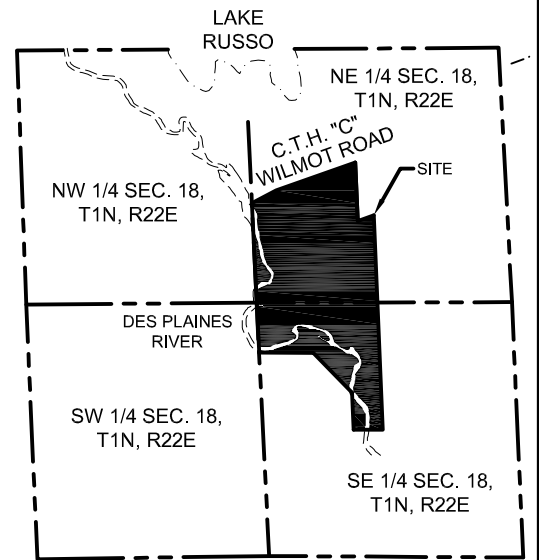
LEGAL DESCRIPTION:

Part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin.

TAX KEY NO. 92-4-122-181-0400



**VICINITY SKETCH
SCALE 1"=2000'**

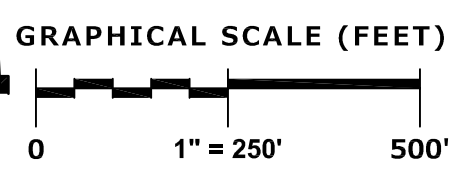


NET
2,452,010 SQUARE FEET
56.2904 ACRES

UPLAND AREA
1,426,020 SQUARE FEET
32.7369 ACRES

WETLAND AREA
1,025,990 SQUARE FEET
23.5535 ACRES

| LINE TABLE | | |
|------------|-------------|----------|
| LINE NO. | BEARING | DISTANCE |
| L7 | N49°58'55"W | 70.07' |
| L8 | N33°30'59"W | 34.20' |
| L9 | N28°33'03"W | 37.13' |
| L10 | N44°11'01"W | 26.85' |
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| L58 | N62°30'48"E | 100.00' |



NOTES:

- Wetlands delineated by Midwest Ecological, Inc. August 2015.
- Location of the DES PLAINES RIVER per the Kenosha County Interactive Mapping System.

WETLAND MAP

09/15/2015

PINNACLE ENGINEERING GROUP
15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

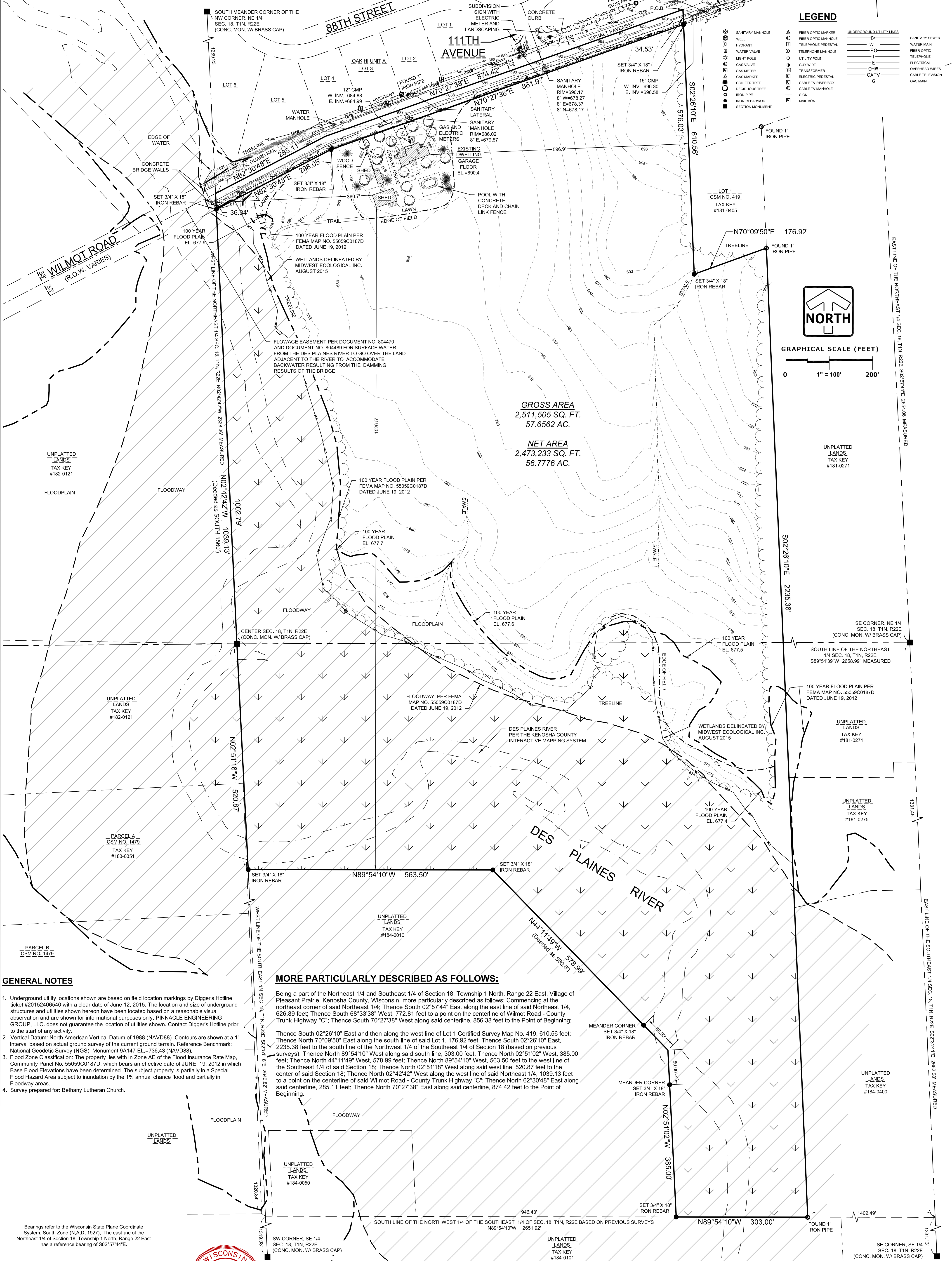
WWW.PINNACLE-ENGR.COM PEG

PLAN | DESIGN | DELIVER
PEG JOB#517.00

LEGAL DESCRIPTION:
AS DESCRIBED IN LANDMARK TITLE CORPORATION COMMITMENT NUMBER LT-138783 WITH AN EFFECTIVE DATE OF MAY 12, 2015.

Part of the East Half of Section 18 in Town 1 North of Range 22 East of the Fourth Principal Meridian, more particularly described as follows: Commencing at a point in the center of the highway (Wilmot Road) crossing said quarter section which is 85 1/2 rods west of the east line of said quarter section; thence westerly and southerly upon the center line of Wilmot Road to a point of intersection of the vertical center section line of said section 18 and the center line of Wilmot Road; thence south on the vertical center section line 1560 feet; thence east parallel with the horizontal center line 563.5 feet; thence running southeasterly 580.5 feet to a point which is 960.5 feet east of the vertical center section line of section 18; thence south parallel with the vertical center section of section 18, 385 feet; thence east at right angles to the last mentioned line of 385, a distance of 303 feet to a point which is the center of the south east quarter of section 18; thence north on the vertical center line of the east half of section 18, a distance of 2495.5 feet; thence southwesterly parallel to the center line of Wilmot Road a distance of 135 feet; thence north parallel to the vertical center line of the east half of section 18, a distance of 330 feet to the center of Wilmot Road which is a point of beginning; EXCEPTING THEREFROM those lands contained in Certified Survey Map No. 419 as recorded in the Kenosha County Register of Deeds office on June 9, 1977 in Volume 989 of Records, page 837, as Document No. 617336; lying and being in the Village of Pleasant Prairie, County of Kenosha and State of Wisconsin.

Tax Key No. 92-4-122-181-0400



GROSS AREA
 2,511,505 SQ. FT.
 57.6562 AC.

NET AREA
 2,473,233 SQ. FT.
 56.7776 AC.

GENERAL NOTES

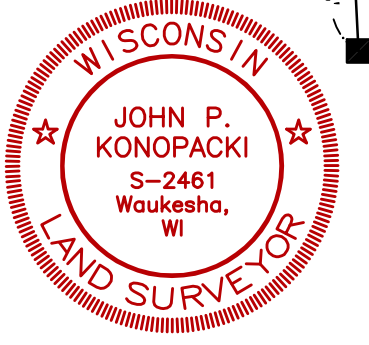
- Underground utility locations shown are based on field location markings by Digger's Hotline ticket #20152406540 with a clear date of June 12, 2015. The location and size of underground structures and utilities shown hereon have been located based on a reasonable visual observation and are shown for informational purposes only. PINNACLE ENGINEERING GROUP, LLC. does not guarantee the location of utilities shown. Contact Digger's Hotline prior to the start of any activity.
- Vertical Datum: North American Vertical Datum of 1988 (NAVD88). Contours are shown at a 1' interval based on actual ground survey of the current ground terrain. Reference Benchmark: National Geodetic Survey (NGS) Monument 9A147 EL.=736.43 (NAVD88).
- Flood Zone Classification: The property lies with in Zone AE of the Flood Insurance Rate Map, Community Panel No. 55059C0187D, which bears an effective date of JUNE 19, 2012 in which Base Flood Elevations have been determined. The subject property is partially in a Special Flood Hazard Area subject to inundation by the 1% annual chance flood and partially in Floodway areas.
- Survey prepared for: Bethany Lutheran Church.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Being a part of the Northeast 1/4 and Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin, more particularly described as follows: Commencing at the northeast corner of said Northeast 1/4; Thence South 02°57'44" East along the east line of said Northeast 1/4, 626.99 feet; Thence South 68°33'38" West, 772.81 feet to a point on the centerline of Wilmot Road - County Trunk Highway "C"; Thence South 70°27'38" West along said centerline, 856.38 feet to the Point of Beginning; Thence South 02°26'10" East and then along the west line of Lot 1 Certified Survey Map No. 419, 610.56 feet; Thence North 70°09'50" East along the south line of said Lot 1, 176.92 feet; Thence South 02°26'10" East, 2235.38 feet to the south line of the Northwest 1/4 of the Southeast 1/4 of Section 18 (based on previous surveys); Thence North 89°54'10" West along said south line, 303.00 feet; Thence North 02°51'02" West, 385.00 feet; Thence North 44°11'49" West, 578.99 feet; Thence North 89°54'10" West, 563.50 feet to the west line of the Southeast 1/4 of said Section 18; Thence North 02°42'42" West along the west line of said Southeast 1/4, 1039.13 feet to a point on the centerline of said Wilmot Road - County Trunk Highway "C"; Thence North 62°30'48" East along said centerline, 285.11 feet; Thence North 70°27'38" East along said centerline, 374.42 feet to the Point of Beginning.

I, John P. Konopacki, Professional Land Surveyor, hereby certify that this survey map is correct to the best of my knowledge and belief with the information provided.

SIGNED
 JOHN P. KONOPACKI, PROFESSIONAL LAND SURVEYOR S-2461



LOCATION:
11019 WILMOT ROAD, PLEASANT PRAIRIE
 NE 1/4 AND SE 1/4 SEC. 18, T1N, R22E

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

PINNACLE ENGINEERING GROUP
 ENGINEERING | NATURAL RESOURCES | SURVEYING

WISCONSIN OFFICE:
 15850 W. BLUEMOUND ROAD
 BROOKFIELD, WI 53005
 (262) 754-9888

PLAT OF SURVEY
BETHANY LUTHERAN CHURCH

REVISIONS

| | | |
|---|---------------------|------------|
| 1 | Wetland Delineation | 08/14/2015 |
| | | |
| | | |
| | | |

SHEET
 1 of 1

REG. JOB NO. 1517.000001
 REG. PH. AA
 DATE 6/29/2015
 SCALE 1"=100'

ORD. # 15-47

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

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

The subject property located at 11019 Wilmot Road and known as Lot 1 of CSM _____ is located in U.S. Public Land Survey Section 18, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-181-0400 is hereby rezoned as follows: 1) the field delineated wetlands as shown and legally described on **Exhibit 1** are rezoned into the C-1, Lowland Resource Conservancy District; and 2) the non-wetland areas on the property are rezoned into the I-1 (AGO), Institutional District with a General Agricultural Overlay District. All other Overlay Districts will remain unchanged on the property.

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

Adopted this 14th day of December, 2015.

VILLAGE BOARD OF TRUSTEES

John P. Steinbrink
Village President

ATTEST:

Jane M. Romanowski
Village Clerk

Posted: _____

47-Bethany wetland

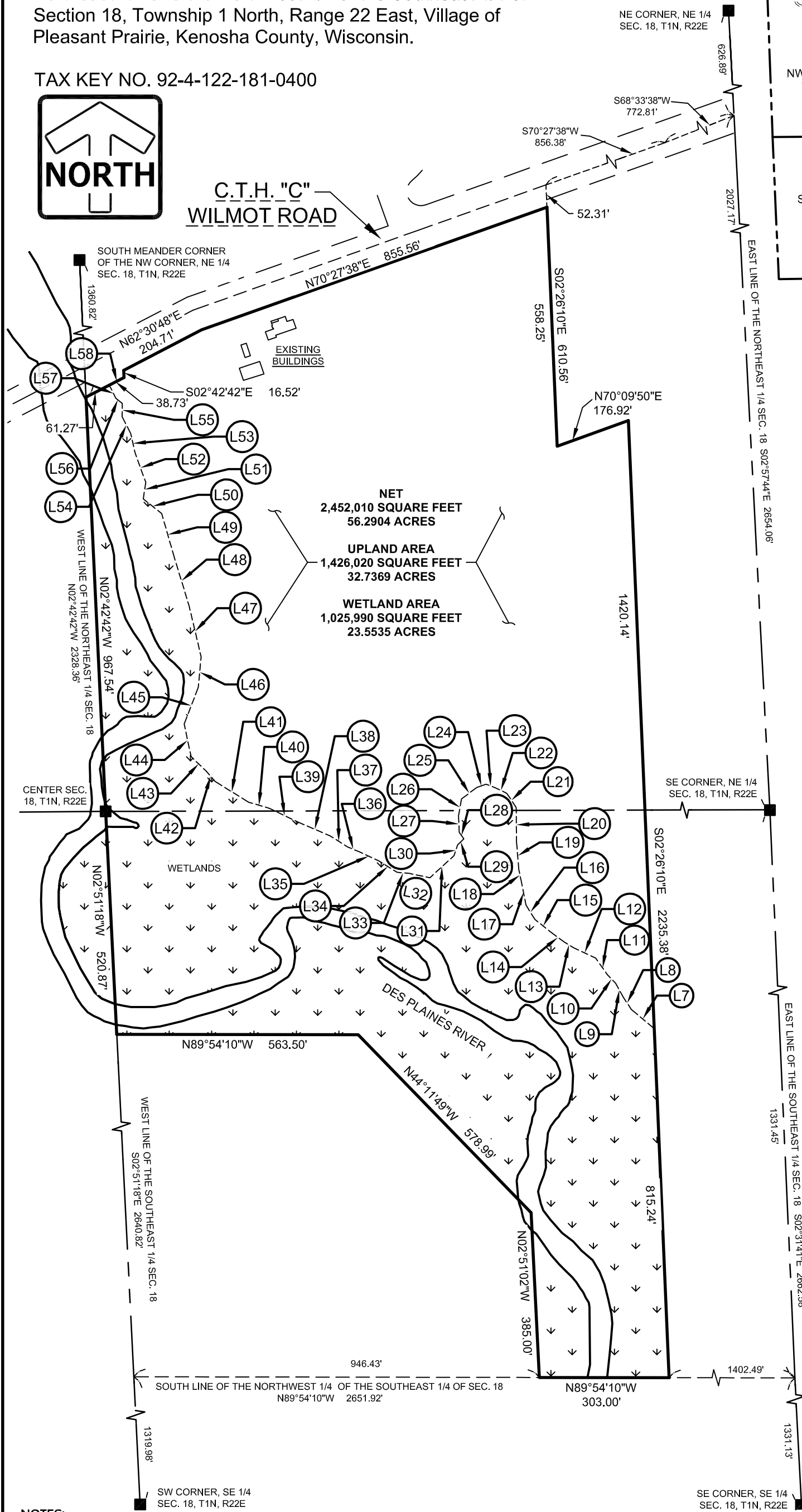
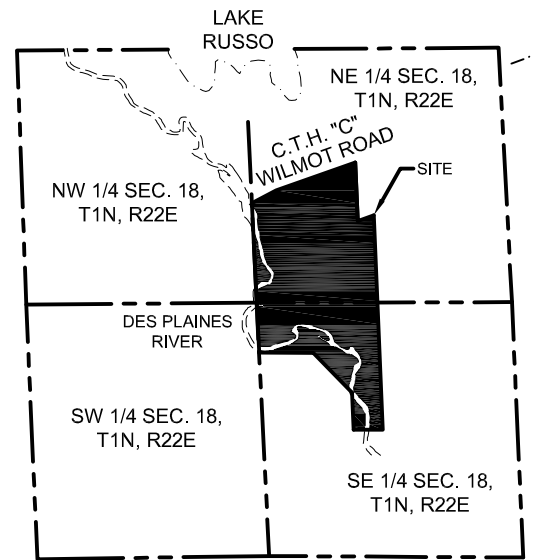
LEGAL DESCRIPTION:

Part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin.

TAX KEY NO. 92-4-122-181-0400



**VICINITY SKETCH
SCALE 1"=2000'**

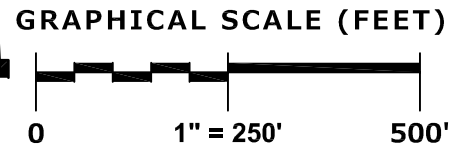


NET
2,452,010 SQUARE FEET
56.2904 ACRES

UPLAND AREA
1,426,020 SQUARE FEET
32.7369 ACRES

WETLAND AREA
1,025,990 SQUARE FEET
23.5535 ACRES

| LINE TABLE | | |
|------------|-------------|----------|
| LINE NO. | BEARING | DISTANCE |
| L7 | N49°58'55"W | 70.07' |
| L8 | N33°30'59"W | 34.20' |
| L9 | N28°33'03"W | 37.13' |
| L10 | N44°11'01"W | 26.85' |
| L11 | N35°23'22"W | 47.81' |
| L12 | N64°48'15"W | 56.99' |
| L13 | N58°49'17"W | 25.46' |
| L14 | N53°26'40"W | 37.32' |
| L15 | N51°23'44"W | 49.16' |
| L16 | N31°46'41"W | 39.87' |
| L17 | N11°15'44"W | 58.36' |
| L18 | N11°46'57"W | 25.41' |
| L19 | N04°47'03"W | 64.97' |
| L20 | N00°34'00"W | 80.78' |
| L21 | N33°56'17"W | 39.69' |
| L22 | N64°14'11"W | 29.51' |
| L23 | N69°05'44"W | 23.45' |
| L24 | S70°31'04"W | 22.46' |
| L25 | S52°59'16"W | 44.79' |
| L26 | S09°48'27"W | 40.62' |
| L27 | S02°23'14"E | 37.57' |
| L28 | S34°48'51"E | 18.86' |
| L29 | S45°25'12"W | 20.45' |
| L30 | S18°18'06"W | 26.22' |
| L31 | S47°36'36"W | 76.57' |
| L32 | N78°00'32"W | 49.26' |
| L33 | N85°04'27"W | 28.53' |
| L34 | N57°54'24"W | 50.72' |
| L35 | N65°04'03"W | 51.35' |
| L36 | N67°41'33"W | 28.10' |
| L37 | N57°43'28"W | 48.26' |
| L38 | N66°47'33"W | 77.21' |
| L39 | N64°23'51"W | 78.47' |
| L40 | N73°35'07"W | 50.41' |
| L41 | N58°13'56"W | 91.98' |
| L42 | N40°37'14"W | 32.07' |
| L43 | N46°18'42"W | 48.71' |
| L44 | N11°56'39"W | 77.53' |
| L45 | N21°03'16"E | 91.93' |
| L46 | N05°10'46"E | 71.54' |
| L47 | N13°17'46"W | 121.47' |
| L48 | N16°57'28"W | 122.93' |
| L49 | N15°58'13"W | 102.39' |
| L50 | N51°30'18"W | 54.99' |
| L51 | N08°35'08"E | 39.21' |
| L52 | N20°10'36"W | 71.69' |
| L53 | N12°41'20"W | 47.86' |
| L54 | N27°08'13"W | 43.96' |
| L55 | N00°50'50"E | 31.11' |
| L56 | N51°08'18"W | 19.18' |
| L57 | N26°50'43"W | 34.12' |
| L58 | N62°30'48"E | 100.00' |



NOTES:
 - Wetlands delineated by Midwest Ecological, Inc. August 2015.
 - Location of the DES PLAINES RIVER per the Kenosha County Interactive Mapping System.

WETLAND MAP

09/15/2015

RECEIVED

OCT 26 2015

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: 11019 Wilmet Rd
and is legally described as follows: Please refer to attached DRAFT CSM.

Tax Parcel Number(s): 94-4-122-181-0400

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

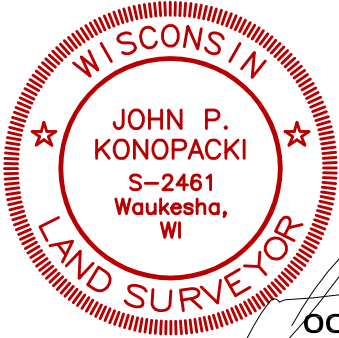
Print Name: VIX Farm LLC
 Signature: [Signature]
 Address: 2640 Golf Rd Suite 127
Glencien IL 60025
 (City) (State) (Zip)
 Phone: (847) 295-5070
 Fax: 847-295-3161
 Date: 10/23/15

OWNER'S AGENT:

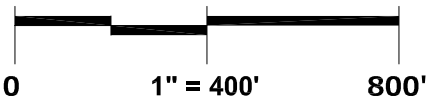
Print Name: Dave Riley
 Signature: [Signature]
 Address: 3446 16th A.
Kenosha WI 53144
 (City) (State) (Zip)
 Phone: 262-620-9676 (m)
 Fax: 262-605-2102
 Date: 10-19-15

CERTIFIED SURVEY MAP NO. _____

Being a part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin



GRAPHICAL SCALE (FEET)



SEE SHEET 2 OF 4 FOR NOTES AND VICINITY SKETCH

LEGEND:

- - Denotes Found 1" Iron Pipe
- - Denotes Found 3/4" Iron Rebar

Subject Property
Tax Key Number: 92-4-122-181-0400
Zoned: A2 - General Agricultural District
C1 - Lowland Resource Conservancy District

OCTOBER 12, 2015
111TH AVENUE
(R.O.W. VARIES)

SOUTH MEANDER CORNER OF THE NW CORNER, NE 1/4 SEC. 18, T1N, R22E (CONC. MON. W/ BRASS CAP)

C.T.H. "C" WILMOT ROAD
(R.O.W. VARIES)

OAK HI UNIT A
LOT 5

RIVER OAKS UNIT A
BLOCK 1
LOT 10

EXISTING BUILDINGS
DEDICATED FOR PUBLIC RIGHT OF WAY WILMOT ROAD
59,495 SQ. FT.
1.3658 AC.

LOT 1
2,452,010 SQ. FT.
56.2904 AC.

100 YEAR FLOOD PLAIN PER FEMA MAP NO. 55059C0187D DATED JUNE 19, 2012

SOUTH LINE OF THE NORTHEAST 1/4 SEC. 18
S89°51'39"W 2658.99'

WETLANDS

DES PLAINES RIVER

UNPLATTED LANDS
WITNESS CORNER

UNPLATTED LANDS
N02°51'02"W 385.00'

SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SEC. 18
N89°54'10"W 2651.92'

SW CORNER, SE 1/4 SEC. 18, T1N, R22E (CONC. MON. W/ BRASS CAP)

SE CORNER, SE 1/4 SEC. 18, T1N, R22E (CONC. MON. W/ BRASS CAP)

Prepared for:
VPX FARM LLC
2640 Golf Road Suite 127
Glenview, IL 60025

UNPLATTED LANDS
PARCEL A
CSM NO. 1479

LINE TABLE

| LINE NO. | BEARING | DISTANCE |
|----------|-------------|----------|
| L1 | N62°30'48"E | 285.11' |
| L2 | N70°27'38"E | 874.42' |
| L3 | S70°27'38"W | 855.56' |
| L4 | S62°30'48"W | 204.71' |
| L5 | S02°42'42"E | 16.52' |
| L6 | S62°30'48"W | 100.00' |

Prepared By:

PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD I SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888

Bearings refer to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The east line of the Northeast 1/4 of Section 18, Township 1 North, Range 22 East has a reference bearing of S02°57'44"E.

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PEG JOB#517.OOWI
SHEET 1 OF 4

CERTIFIED SURVEY MAP NO. _____

Being a part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and dedicated that part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin, which is bounded and described as follows:

Commencing at the northeast corner of said Northeast 1/4;
Thence South 02°57'44" East along the east line of said Northeast 1/4, 626.89 feet;
Thence South 68°33'38" West, 772.81 feet to a point on the centerline of Wilmot Road - County Trunk Highway "C";
Thence South 70°27'38" West along said centerline, 856.38 feet to the Point of Beginning;

Thence South 02°26'10" East and then along the west line of Lot 1 Certified Survey Map No. 419, 610.56 feet;
Thence North 70°09'50" East along the south line of said Lot 1, 176.92 feet;
Thence South 02°26'10" East, 2235.38 feet to the south line of the Northwest 1/4 of the Southeast 1/4 of Section 18;
Thence North 89°54'10" West along said south line, 303.00 feet;
Thence North 02°51'02" West, 385.00 feet;
Thence North 44°11'49" West, 578.99 feet;
Thence North 89°54'10" West, 563.50 feet to the west line of the Southeast 1/4 of said Section 18;
Thence North 02°51'18" West along said west line, 520.87 feet to the center of said Section 18;
Thence North 02°42'42" West along the west line of said Northeast 1/4, 1039.13 feet to a point on the centerline of said Wilmot Road - County Trunk Highway "C";
Thence North 62°30'48" East along said centerline, 285.11 feet;
Thence North 70°27'38" East along said centerline, 874.42 feet to the Point of Beginning.

Said lands containing 2,511,505 square feet (57.6562 acres) Gross and 2,452,010 square feet (56.2904 acres) Net of land, more or less.

Dedicating 59,495 square feet (1.3658 acres) of the Northerly portion of subject property, as graphically shown, for public right of way purposes.

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

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

That I have fully complied with the provisions of s.236.34 of the Wisconsin State Statutes and the Village of Pleasant Prairie Land Division Ordinance in surveying, mapping, dedicating and dividing the same.

Date: OCTOBER 12, 2015

NOTES:

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Vertical Datum: North American Vertical Datum of 1988 (NAVD88). Contours are shown at a 1' interval based on actual ground survey of the current ground terrain. Reference Benchmark: National Geodetic Survey (NGS) Monument 9A147 EL.=736.43 (NAVD88).
- Flood Zone Classification: The property lies with in Zone AE of the Flood Insurance Rate Map, Community Panel No. 55059C0187D, which bears an effective date of JUNE 19, 2012 in which Base Flood Elevations have been determined. The subject property is partially in a Special Flood Hazard Area subject to inundation by the 1% annual chance flood and partially in Floodway areas.
- Property serviced by municipal sanitary sewer.
- Location of the DES PLAINES RIVER per the Kenosha County Interactive Mapping System.
- Wetlands delineated by Midwest Ecological, Inc. August 2015.
- Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution.

Prepared By:

PINNACLE ENGINEERING GROUP

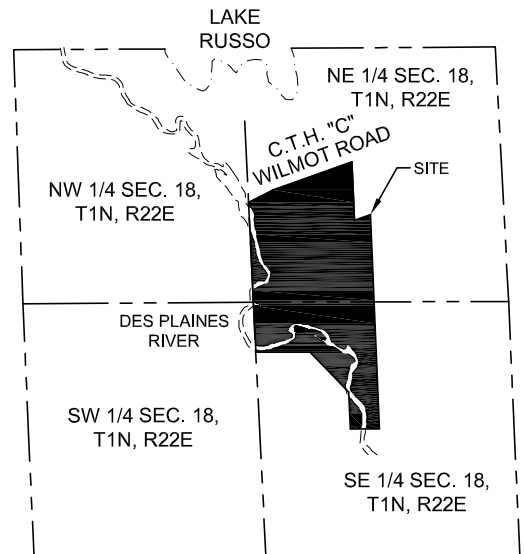
15850 BLUEMOUND ROAD | SUITE 210

BROOKFIELD, WI 53005

OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

VICINITY SKETCH SCALE 1"=2000'




John P. Konopacki
Professional Land Surveyor S-2461

CERTIFIED SURVEY MAP NO. _____

Being a part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin

OWNER'S CERTIFICATE OF DEDICATION

VPX FARM, LLC., a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed, mapped and dedicated as represented on this certified survey map.

I also certify that this certified survey map is required by s.236.10 or s.236.12 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

- 1. Village of Pleasant Prairie

IN WITNESS WHEREOF, the said VPX FARM, LLC. has caused these presents to be signed by _____ at _____ County, State of _____, on this _____ day of _____, 2015.

In the presence of: VPX FARM, LLC.

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2015, _____ of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and acknowledged that they executed the foregoing instrument.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this certified survey map and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said _____, has caused these presents to be signed by _____, its President, and its corporate seal to be hereunto affixed this _____ day of _____, 2015.

Date

President

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2015, _____, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____



[Signature]
OCTOBER 12, 2015

CERTIFIED SURVEY MAP NO. _____

Being a part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the Village of Pleasant Prairie on this _____ day of _____, 2015.

Date

John Steinbrink, Village President

Date

Jane M. Romanowski, Village Clerk

VILLAGE BOARD APPROVAL

Approved by the Village Board of the Village of Pleasant Prairie, Wisconsin, on this _____ day of _____, 2015.

Date

John Steinbrink, Village President

Date

Jane M. Romanowski, Village Clerk




OCTOBER 12, 2015

Prepared By:

PINNACLE ENGINEERING GROUP

15850 BLUEMOUND ROAD | SUITE 210

BROOKFIELD, WI 53005

OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PEG JOB#517.00WI

SHEET 4 OF 4

CTH C Shared Use Path (3736-06-00)

Kick-off Meeting

Monday, November 16th 11:00 am-12:00 pm, Conference Room
Kenosha County Public Works Building (19600 75th Street, Bristol WI 53104)

1. Introductions/Sign in-In attendance:
 - Gary Sipsma - Director of Kenosha County Highways
 - Ron Schildt - DPW Transportation Engineer
 - Matt Fineour - Village Engineering – Pleasant Prairie
 - Lynda Fink - **CORRE, INC.**
 - Eric Andritsch - **CORRE, INC.**

2. Project Overview (*attached to agenda)
 - a. Corridor location
 - Approximately 1 mile, 10' wide, paved shared use path along CTH C. Path will remain within R/W to the greatest extent feasible, but will require strip takings along the roadway (regardless of side) based on the narrow R/W along much of the roadway. At this point, there are positives and negatives to each side of the roadway. More detailed field review of potential impacts with trees, drainage and residential setback impacts as well as the PIM input will factor into the final decision.
 - b. Bridge
 - A new shared use path structure will be required across the Des Plaines River (regardless of side of road).

3. Coordination
 - a. Planned meetings
 - 1st PIM will be conceptual, showing existing connections to major trail connectors and will highlight items from the village bike/ped plan and other known potential future amenities as one of the exhibits. The trail location on both sides of the road will also be featured. Potentially held at Pleasant Prairie Elementary School.
 - 2nd PIM will show preferred design.
 - A pre- PIM meeting with local officials will be held as well after exhibits prepared and reviewed.
 - b. Contacts for review documents
 - Ron Schildt will be point of contact for Kenosha County.
 - Matt Fineour will be point of contact for Pleasant Prairie.

4. Schedule overview
 - See attached (handed out at meeting) - items highlighted in yellow most pertinent to attendees.
 - Local officials meeting anticipated prior to the PIM.
 - Public outreach mailings will be limited to property owners along CTH C.
 - Public outreach information will be put on Kenosha County's and Pleasant Prairie's website.
 - Pleasant Prairie can also include information in newsletters.
 - Information regarding the PIM will be posted 10 days prior to event date.

5. Challenges

- a. Wetlands
 - There are wetlands identified on north and south side of CTH C.
- b. Bridge
- c. Right of Way
 - Land acquisition is anticipated. Kenosha County will purchase in fee, not easements.
 - Kenosha County would like the design to avoid removal of large trees.
 - Village has a sidewalk ordinance. Need to confirm if parcel owners will be required to maintain the path. Kenosha County intends on maintaining the path.
 - Detailed encroachment report will likely be necessary.
- d. Overhead utilities
 - The County will require the utilities to move as needed.
- e. Drainage
 - Drainage will need to be reviewed. Culvert impacts are anticipated.

6. Other

- Crosswalks should be considered from subdivisions to trail (if built on south side).
- A church may be built on a large open parcel south of CTH C and east of Des Plaines River.



CTH C Shared Use Path

Project ID: 3736-06-00

Project Overview



Legend

- Proposed Corridor
(Location to be determined)
- Right of Way
- Parcel Boundary

Begin Project

End Project

0 200 400 800 Feet

Pleasant Prairie Park



Lake Russo

Des Plaines River

Des Plaines River

Pleasant Prairie Tributary

Map labels include: 84TH ST, 110TH AVE, 108TH AVE, 84TH PL, 84TH PL, 104TH AVE, BAIN STATION RD, CTH C, 120TH AVE, 114TH AVE, 105TH AVE, and Pleasant Prairie Park.

CTH C Shared Use Path: Supplemental Kick-off Meeting Information
November 16, 2015

Timeline

| | |
|---|----------------|
| OPM/Kick-Off Meeting | November 2015 |
| PIM #1 Held | February 2016 |
| PIM #2 Held | April 2016 |
| County Authorization to proceed w/ design Based on confirmed pathway location (side of road) | April 2016 |
| 30% Plans submitted | May 2016 |
| Draft Phase 1 HazMAT Submitted | May 2016 |
| Draft Section 106 Submitted | May 2016 |
| Phase 1 HazMAT Approved | June 2016 |
| TSL Submitted | July 2016 |
| Section 106 Approved | July 2016 |
| Draft Environmental Document Submitted (pER) | July 2016 |
| Environmental Document Approved | August 2016 |
| TSL Approved | September 2016 |
| Final DSR submitted | November 2016 |
| R/W begins (by others) | January 2017 |
| R/W completed (by others) | July 2017 |
| Final BOS Submitted | July 2017 |
| 90% Plan/Draft Request to Advertise Submitted | August 2017 |
| Final Request to Advertise Submitted | September 2017 |
| Final Request to Advertise Approved | November 2017 |
| Project Advertised | January 2018 |
| Project Awarded | March 2018 |

RECEIVED

Exhibit 5



OCT 26 2015

Rev. 1/98
2/01
1/04

PLEASANT PRAIRIE

Filed _____ 20__ Published _____ 20__
Public Hearing _____ 20__ _____ 20__
Fee Paid _____ 20__ Approved _____ 20__
Notices Mailed _____ 20__ Denied: _____ 20__

VILLAGE OF PLEASANT PRAIRIE
CONDITIONAL USE PERMIT

(Use this application only if a Site and Operational Plan approval is not required.)

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

I, (We), the undersigned owner(s)/agent do hereby petition the Village Plan Commission for a Conditional Use Permit as hereinafter requested.

It is petitioned that the following Conditional Use Permit be approved: _____

on the property located at: 11019 Wilnot Rd and is legally described as follows
(address)

as follows: Please Refer to Attached DRAFT CSM

Tax Parcel Number(s): 94-4-122-181-0400

The proposed use for this property is: Church & School Campus

Current zoning of the property: A-2

Proposed zoning of the property: I-1 (A60) | C-2 | F.P.O

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:

OWNER'S AGENT:

Print Name: VPK Farm LLC

Print Name: Dave Riley

Signature: [Signature]

Signature: [Signature]

Address: 2640 Golf Rd. Suite 127
Glenview IL 60025
(City) (State) (Zip)

Address: 3446 16th Pl.
Kenosha WI 53144
(City) (State) (Zip)

Phone: (847) 295-5070

Phone: 262-620-9676

Fax: (847) 295-3161

Fax: 262-605-2102

Date: 10/23/15

Date: 10-19-15

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.

Bethany Lutheran Church exists to share the good news of Jesus Christ with as many as possible through a variety of avenues. We gather people of all ages for worship, fellowship, and spiritual education. We also look to be an active community partner, offering opportunities to residents for recreation, social interaction and religious instruction. Our nationally accredited K-8 school strives to offer Christian education, character development and enrichment through athletics and the arts. We will also offer early childhood programs, before and after school care and day care for children who are not yet school age.

A list of potential uses/facilities/structures is attached.

We anticipate no adverse impacts to the neighborhood.

(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.

Not Applicable

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

We anticipate a 20,000 square foot worship facility and a 31,000 square foot school facility.

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

Buildings will typically be in operation and open to the public between the hours of 6 AM and 9 PM. Deliveries are typically made between 8 AM and 5 PM weekdays. Sporadic deliveries may occur on weekends for special events (funerals, weddings, etc.).

The church will be used most intensely on Saturday evenings from 5 to 7 PM and Sunday mornings from 7:30 AM to 12 PM. Weekday evening meetings and programs usually end before 9 PM.

School hours are 8 AM to 3 PM but early school drop-off is permitted beginning at 6 AM and after-school activities typically run to 6 PM and occasionally later.

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

We anticipate approximately 10 full-time and 5 part-time employees.

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

During weekday school hours we anticipate 11-12 employees, fewer before and after and on weekends.

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

We anticipate a maximum of 15 employees at any one time.

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

The elementary school population is estimated at 125 students. The church anticipates 50-75 worshipers on Saturday evenings and 325-350 on typical Sunday mornings.

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

In review of the multiple uses, it appears as the Church Restriction will require the highest/peak parking count requirement.

Section 420-50 - Church or Synagogue: 1 space per 4 seats in the principal place of worship

Assuming 273 stalls are provided, the parking could support a peak of 1,092 seating/capacity for events/services/activities.

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

Existing: 0 **Proposed:** 273 (as currently illustrated) **ADA:** As required by law

Given the conceptual nature of the buildings/facilities, the parking will be adjusted to meet ordinance requirements upon evolution of the concept to final plans. The site design has adequate area to add/subtract parking as needed to accommodate final parking count requirements.

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

We anticipate the following number of automobile trips to and from the site:

- Weekdays – 170 trips
- Saturday - 60 trips
- Sunday – 350 trips

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

We anticipate the following number of truck trips to and from the site:

- Weekdays – 10 trips
- Weekends – 4 trips

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

We will only store and use supplies typical for a church and elementary school.

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

We will only use equipment and machinery typical for a church and elementary school.

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

Not applicable

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

Not applicable

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

Facilities will have electronic doors and interior and exterior camera surveillance.

(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.

As is typical of churches, we will employ a combination of voluntary and paid help.

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

We anticipate no adverse impacts to the neighborhood.

(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.

We are not aware that any approvals or permits are required outside of those required by the Village of Pleasant Prairie for purposes of new building construction.

(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.

Church

- Sanctuary
- Chapel
- Fellowship / Gathering Area
- Educational Wing
- Office / Counseling Areas
- Conference Center
 - Wedding
 - Funeral
 - Shower
 - Event Rental
- Bookstore
- Coffee Area

School

- K-8 Classrooms
- Specialty Classrooms
- Library
- Offices
- Cafeteria
- Gym / Rec Center
- Auditorium
- Before / After School Care

Early Childhood Center

- Infant / Toddler Day Care
- K3 & K4 Preschool

Adult / Special Needs Day Care

Parsonage / Teacherage (3-4 Single-family Dwellings)

Outdoor

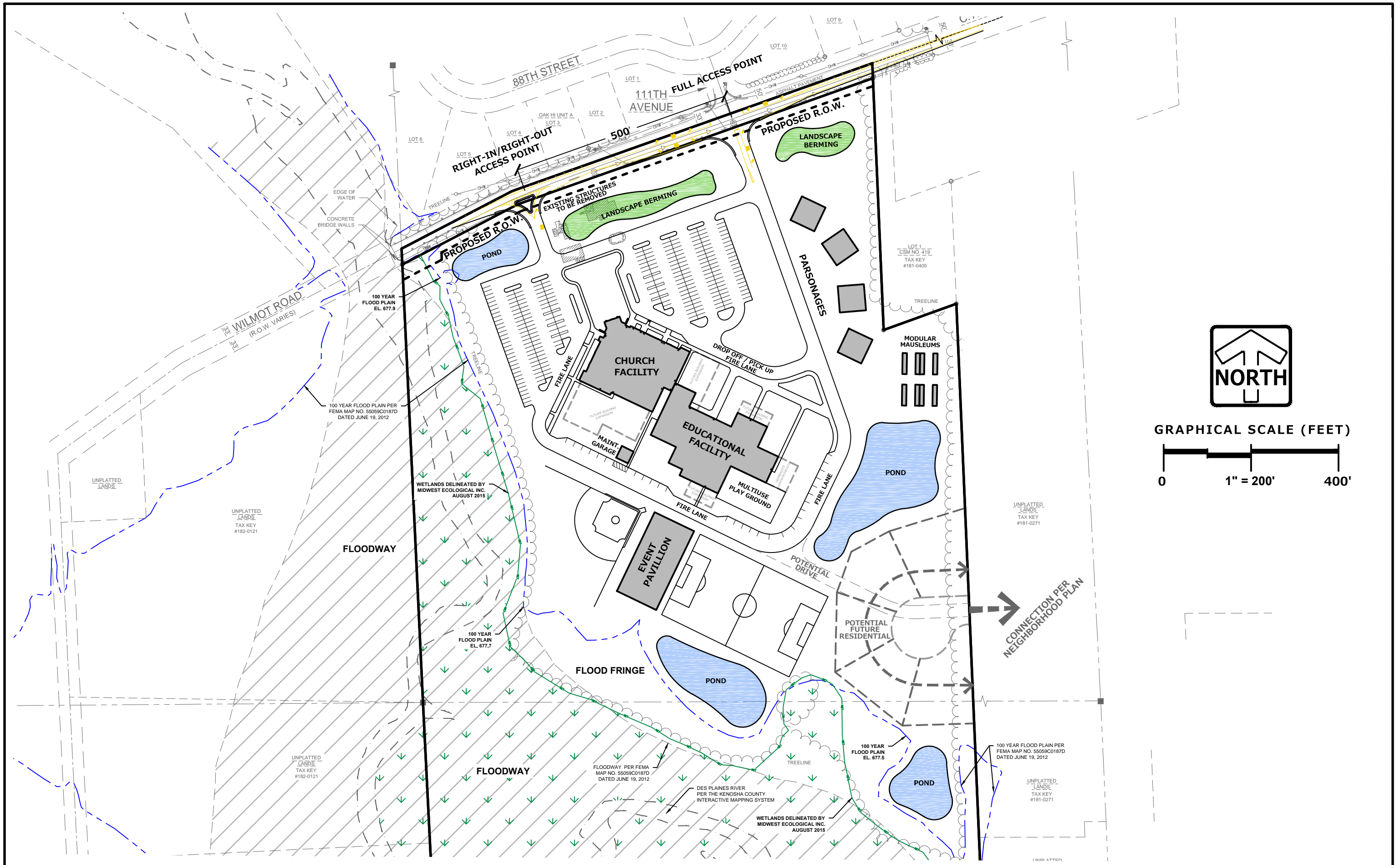
- Playgrounds
- Sports Fields
- Event Pavillion
- Walking / Jogging Trails
- Garden

Equipment Garage

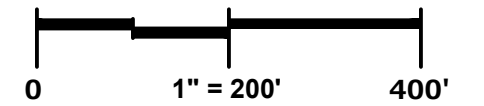
Mausoleum

Uses That Will Not Be Engaged In

- Community-Based Residential Facility
- Homeless Shelter
- Mental Health Clinic



GRAPHICAL SCALE (FEET)



BETHANY LUTHERAN CHURCH - CONCEPT SITE LAYOUT (v3)

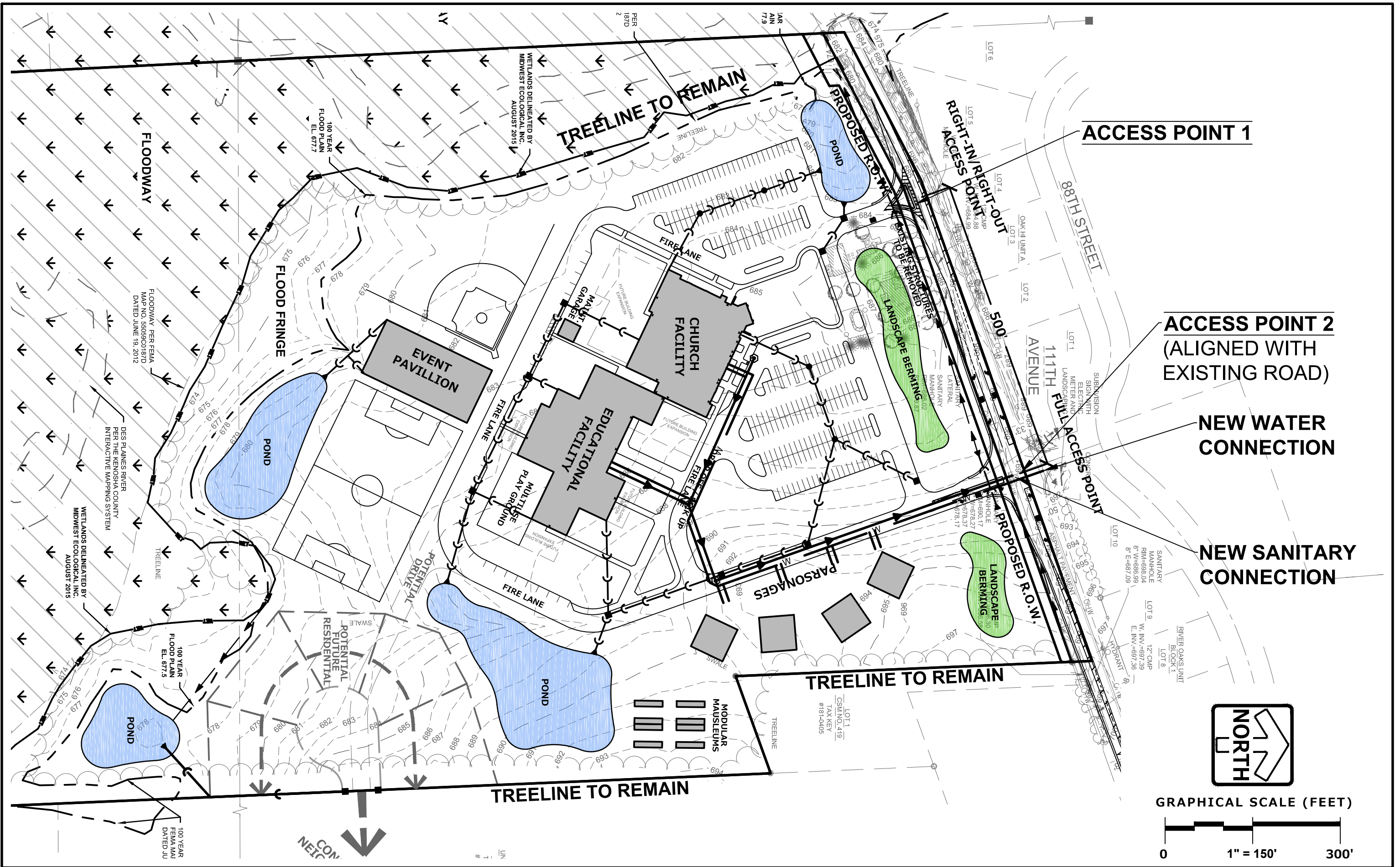


PINNACLE ENGINEERING GROUP

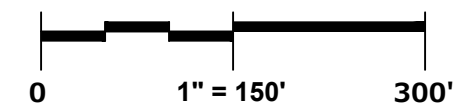
15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | ADMIN@PINNACLE-ENGR.COM

10/16/2015

PLAN | DESIGN | DELIVER



GRAPHICAL SCALE (FEET)



BETHANY CHURCH - ENGINEERING CONCEPT LAYOUT

PINNACLE ENGINEERING GROUP

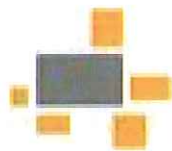
15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | ADMIN@PINNACLE-ENGR.COM

10/16/2015

PLAN | DESIGN | DELIVER

WETLAND ASSESSMENT REPORT

PREPARED FOR:



PINNACLE ENGINEERING GROUP
Engineering | Natural Resources | Surveying

STUDY AREA:

Fifty six (56) Acre Farm
11019 Wilmot Road, Pleasant Prairie, Wisconsin
Section 18, Township 1 North, Range 22
(Lat 42.547294 Long -87.940607)

September 15, 2015



PO BOX 321 | GILBERTS, ILLINOIS 60136 | 847-278-4610

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WETLAND DELINEATION REPORT

EXECUTIVE SUMMARY

In response to the request of Pinnacle Engineering Group, Midwest Ecological, Inc. (MEI) has performed and completed a Wetland Delineation for the Fifty Six (56) acre site. The parcel is located within Section 18, Township 1 North, Range 22 East of the Third Principal Meridian within Pleasant Prairie, Kenosha County, Wisconsin. Using the criteria and methods established by the U.S. Army Corps of Engineers (COE) in their Corps of Engineers Wetlands Delineation Manual (1987), Midwest Regional Supplement (2008) and Wetland Mapping Conventions – NRCS, Wisconsin (1998), a wetland investigation of the property was performed. Based on the on-site investigation using the information obtained from the field samples Midwest Ecological, Inc. (MEI) did identify one (1) Waters of the United States (Des Plaines River) with adjacent emergent/riparian wetland area totaling **23.56 acres or 1,025,990.00 square foot**.

Please note: The identified wetland area is larger than is identified within this report. This report only identifies the portion of the wetland that is found within the property boundary. Wetland areas continue to the North and to the South of the site.

It should be noted that under the current guidelines, any disturbance of a wetland area requires a permit (W.D.N.R., L.O.N.O., N.W.P. or I.P.). However, mitigation may or may not be required, depending on the overall impact (> 0.10) to the wetland or Waters of the United States. This determination is at the discretion of the ACOE.

PURPOSE OF VISIT

The purpose of the site visit was to determine if any jurisdictional wetlands or waters of the United States existed on-site and, if so, determine their approximate size and location. Wetlands encountered were delineated using standard methods sanctioned by the United States Army Corps of Engineers in their Corps of Engineers Wetlands Delineation Manual (1987), Regional Supplement (2008) and Wetland Mapping Conventions – NRCS, Wisconsin (1998).

DEFINITION OF A WETLAND

The U.S. Army Corps of Engineers (ACOE) and the U.S. Environmental Protections Agency (EPA) define wetlands as:

“areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions...” (33 CFR 328.3[b], 1977).

Although not defined by regulation, “normal circumstances” are interpreted by both the ACOE and the Natural Resources Conservation Service to be “the soil and hydrologic conditions that are normally present, without regard to whether the vegetation has been removed” (7 CFR 12.31[b][2][i]).

METHODOLOGY

Prior to visiting the site, Midwest Ecological, Inc. (MEI) performed a review of the aforementioned National & Wisconsin Wetland Inventory maps, Milwaukee County Soil Survey map and aerial photograph in order to determine existing site conditions. Site visits were then conducted by an Environmental Wetland Specialist from MEI on August 10, 2015. The USACE Wetland Delineation Manual, dated January 1987, identifies the mandatory technical criteria for wetland identification. The three essential characteristics of a wetland are: 1) hydrophytic vegetation; 2) hydric soils; and 3) wetland hydrology. These characteristics are described below:

Hydrophytic Vegetation: The hydrophytic vegetation criterion is based on a separation of plants into five basic groups:

- 1) Obligate wetland plants (OBL) almost always occur (estimated probability >99%) in wetlands under natural conditions;
- 2) Facultative wetland plants (FACW) usually occur in wetlands (estimated probability 67-99%), but occasionally are found in non-wetlands;
- 3) Facultative plants (FAC) are equally likely to occur in wetland or non-wetlands (estimated probability 34-66%);
- 4) Facultative upland plants (FACU) usually occur in non-wetlands (estimated probability 67-99%), but occasionally are found in wetlands (estimated probability 1-33%); and
- 5) Obligate upland plants (UPL) almost always occur (estimated probability >99%) in non-wetlands under natural conditions.

Within each data point, vegetation is sampled in plots of varying size based on the type of vegetation being sampled. The following plot sizes are recommended by the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual for the Midwest Region:

| | |
|-------------------|-------------------------|
| Trees | - 30-ft radius |
| Saplings/Shrubs | - 15-ft radius |
| Herbaceous Plants | - 1 m ² plot |
| Woody vines | - 30-ft radius |

If greater than 50% of the plants present in each stratum or layer of the plant community are FAC (with the exception of FAC-), FACW, or OBL the subject area is considered a wetland in terms of vegetation (Dominance Test). If the vegetation does not meet the requirements of the Dominance Test, the Prevalence Index (PI) should be utilized.

The PI evaluates the coverage, on a weighted basis of coverage over all strata, of the vegetation within the plot. The PI ranges between 1.0 and 5.0, with a 3.0 or less indicating hydrophytic vegetation is present. If the PI is greater than 3.0, the dominance test is failed, but there are still hydric soil and wetland hydrology presence, the observation of morphological adaptations by vegetation can be used to indicate that the hydrophytic vegetation criteria is met.

Morphological adaptations are changes in the structure of vegetation in response to conditions outside the normal character of the plant. These adaptations include adventitious roots, multi-

stemmed trunks, shallow root systems developed at or near the surface, and buttressing in tree species. To meet this indicator, more than 50% of the individuals of FACU species must exhibit the morphological adaptations. Care must be given that the adaptations observed are due wetter conditions that the species is used to as opposed to other factors such as shallow roots present because of erosion of the surface.

Hydric Soils: Hydric soils are defined in the manual as "soils that are saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part." Hydric soil indicators are distinctive characteristics that persist in the soil during both wet and dry periods, and are used to identify hydric soils in the field. Field indicators include color, mottling, gleying, and sulfidic odor. A specific set of indicators has been developed by the USDA Natural Resource Conservation Service (Field Indicators of Hydric Soils in the United States) which provides a detailed description of how to identify the indicators in during a site visit. A soil meets the definition of a hydric soil if it exhibits at least one of these indicators.

Wetland Hydrology: Indicators of hydric soil and hydrophytic vegetation typically reflect the middle and long-term conditions of a site, but not the short term conditions. The wetland hydrology criterion is often the most difficult to determine because of climatological variation. Typically, the presence of water for a week or more during the growing season creates anaerobic conditions indicative of wetland hydrology. Anaerobic conditions lead to the prevalence of wetland plants. The 2010 USACE Regional Supplement for the Midwest Region provides specific indicators in four different groups for wetland hydrology: Observation of Surface Water or Saturated Soils, Evidence of Recent Inundation, Evidence of Current or Recent Soil Saturation, and Evidence from Other Site Conditions or Data. If a site exhibits 1 primary indicator or 2 secondary indicators, then it meets the hydrology criteria for a wetland.

Typical Farmed Wetland Signatures:

- Hydrophytic vegetation (observed as a different color than planted crops within the area),
- Farming areas that have not been planted due to wet conditions,
- Crop damage/stressed crops due to wetness identified from site visits or aerial photograph,
- Wet signatures or bright greener vegetation (crop) during years of below normal precipitation

MEI used historical data from weather stations within the study area and the long-term precipitation averages obtained from the Army Corps of Engineers and NRCS Wetlands Determination Tables. Aerial imagery was reviewed from at least five years of normal precipitation and compared to the "WET" indicator year of 1997 & 2010. The aerial imagery (based on WET Table) was analyzed for wetland signatures. A wetland signature is shown on an aerial from saturation, inundation or crop damage in a normal year.

Typical soil core samples detect the presence of hydric soils, defined as "soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part." Soil characteristics such as color, mottling, texture, and odor were used as indicators

in determining hydric soil presence. The presence of wetland hydrology often only requires the presence of water for a week or more or long enough to produce anaerobic conditions during the growing season. For our purposes, it is determined by evaluating indicators such as drainage patterns, water marks, and presence/absence of inundated soils. In most cases, the presence of all three parameters must be present in order for an area to be determined a wetland.

REFERENCE MATERIALS

The following materials were reviewed and utilized to assist in the field reconnaissance and completion of this report. See Appendix A for the Reference Materials (Exhibits 1 through 7).

Location

The site is located at common address 11019 Wilmot Road, Pleasant Prairie, Wisconsin. Geographically, the site can be located in Section 29, Township 5 North, Range 22 East of the Third Principal Meridian within Pleasant Prairie, Kenosha County, Wisconsin (Lat 42.547294 Long -87.940607)

National & Wisconsin Wetland Inventory Maps

The National & Wisconsin Wetland Inventory was reviewed to determine the location of wetland areas on the subject site. It should be noted that these maps are only large scale guides, actual wetland locations and types may vary. Ultimate qualification occurs during field reconnaissance.

Per our review of the NWI map, the study area does contain a mapped wetland area.

PEMC: Palustrine, Emergent, Seasonally Flooded

Per our review of the Wisconsin Wetland Inventory Map, The study area does contain a mapped wetland area.

FOKf: Flats/unvegetated wet soil, wet soil, palustrine Emergent, Farmed

T3/E2H: Forested, Broad-leaved deciduous, Emergent, Narrow-leaved persistent, Wet soil, Palustrine

Based on our onsite investigation, the study area does contain the Des Plaines River. A riparian, forest and emergent wetland is associated with the Des Plaines River. Please review the wetland delineation section (page 5 & 6) of this report for the specific details of the flagged wetland area.

Milwaukee County Soil Survey Map

The Soil Survey of Kenosha County, Wisconsin was investigated to determine the location of hydric soils on the subject site. Mapped hydric soils can indicate wetland areas. The following soils were found to be present on the subject site during our investigation.

AzB – Aztalan loam, 2 to 6 percent slopes (somewhat poorly drained)

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AzB – Aztalan loam, 2 to 6 percent slopes (somewhat poorly drained)

Study Area: The fifty six (56) acre study area and consists of rolling terrain. The property is primarily farmed however a farm house and barn can be found along Wilmot Road at the North. One (1) Waters of the United States with adjacent riparian, wooded and emergent wetland can be found on the west and south property line. The agricultural portion of the property is planted with soy bean (*Glycine max*). ATV tracks were noted on the perimeter of the agricultural field as well as within the boundary of the flagged wetland along the Des Plaines River.

Des Plaines River: The Des Plaines River can be found on the west and south property line. The flagged boundary, within the study area, was determined to be **23.56 acres or 1,025,990 square feet**. The Des Plaines River has an origin west of Kenosha Wisconsin and flows into Illinois approximately one hundred thirty miles (130) miles until it connects with the Illinois River. The Des Plaines River is a meandering river with adjacent wetland and riparian environments. The river is the main water course within this area. At the time of our investigation the river was low and was only inundated within the center of the flagged boundary. Adjacent wetlands/riparian environments were saturated and dominated by wetland vegetation. A majority of the boundary located on the west property line was located at the base of a ten to fifteen foot bluff. Scour and water marks were noted along the base of the bluff which was approximately six (6) feet higher than the existing water elevation. The flagged ecosystem consists of a river corridor, emergent and wet woodland habitat. The dominant vegetation found was determined to be Silver Maple (*Acer saccharinum*), Black Willow (*Salix nigra*), Boxelder (*Acer negundo*), Common Buckthorn (*Rhamnus cathartica*), Elderberry (*Sambucus Canadensis*), Orange Jewel Weed (*Impatiens capensis*) and Reed Canary Grass (*Phalaris arundinacea*).

During our investigation positive wetland hydrology is met with the primary indicators of Surface Water (A1), Saturation (A3), Water Marks (B1), Drift Deposits (B3) & Inundation visible on aerial imagery (B7). Mapped soils are identified as Wet Alluvial Land (Ww) which is a poorly drained and Palms muck (Pa) which are very poorly drained hydric soils. Primary soil indicators of sandy redox (S5) and sandy mucky mineral (S1) was noted within the flagged boundary.

Said vegetation soils and hydrology information noted above can be found in the datasheets section of this report. Please note data sheets 1-5.

Study Information

Site: 11019 Wilmot Road, Pleasant Prairie, Wisconsin
 Locale: Des Plaines River
 Date: August 10, 2015
 By: Robert Vanni

| Conservatism-Based Metrics | | Additional Metrics | |
|----------------------------|------|---------------------------|-------|
| Mean C (native species) | 2.58 | Species Richness (all) | 56.00 |
| Mean C (all species) | 1.84 | Species Richness (native) | 40.00 |

| | | | |
|----------------------------|-------|------------------------|-------|
| Mean C (native trees) | 1.40 | % Non-native | 0.29 |
| Mean C (native shrubs) | 1.67 | Wet Indicator (all) | -0.32 |
| Mean C (native herbaceous) | 2.97 | Wet Indicator (native) | -0.70 |
| FQAI (native species) | 16.29 | % hydrophyte (Midwest) | 0.68 |
| FQAI (all species) | 13.76 | % native perennial | 0.55 |
| Adjusted FQAI | 21.76 | % native annual | 0.16 |
| % C value 0 | 0.39 | % annual | 0.21 |
| % C Value 1-3 | 0.32 | % perennial | 0.73 |
| % C value 4-6 | 0.27 | | |
| % C value 7-10 | 0.02 | | |

| Species Acronym | Species Name (NWPL/Mohlebrock) | Species(Synonym) | Common Name | C Value | NC-NEWET Indicator | WET Indicator (numeric) | Habit | Nativity |
|-----------------|--------------------------------|--|-----------------------------------|---------|--------------------|-------------------------|-------|-----------|
| acneg | Acer negundo | Acer negundo var. violaceum | Ash-Leaf Maple | 0 | FAC | 0 | Tree | Native |
| acessi | Acer saccharinum | Acer saccharinum | Silver Maple | 0 | FACW | -1 | Tree | Native |
| alpet | Alliaria petiolata | ALLIARIA PETIOLATA | Garlic-Mustard | 0 | FACU | 0 | Forb | Adventive |
| ambtri | Ambrosia trifida | Ambrosia trifida | Great Ragweed | 0 | FAC | 0 | Forb | Native |
| apocan | Apocynum cannabinum | Apocynum sibiricum | Indian-Hemp | 2 | FAC | 0 | Forb | Native |
| arcmn | Arctium minus | ARCTIUM MINUS | Lesser Burdock | 0 | FACU | 1 | Forb | Adventive |
| ascinc | Asclepias incarnata | Asclepias incarnata | Swamp Milkweed | 4 | OBL | -2 | Forb | Native |
| bidfro | Bidens frondosa | Bidens frondosa | Devil's-Pitchfork | 1 | FACW | -1 | Forb | Native |
| boocyl | Boehmeria cylindrica | Boehmeria cylindrica drummondiana | Small-Spike False Nettle | 2 | OBL | -2 | Forb | Native |
| broine | Bromus inermis | BROMUS INERMIS | Smooth Brome | 0 | UPL | 1 | Grass | Adventive |
| calsep | Calyptegia sepium | Cercovulus sepium | Hedge False Bindweed | 1 | FAC | 0 | Forb | Native |
| castri | Carex stricta | Carex stricta | Upright Sedge | 5 | OBL | -2 | Sedge | Native |
| circan | Circea canadensis | Circea luteoliana canadensis | Broad-Leaf Enchanter's-Nightshade | 1 | FACU | 1 | Forb | Native |
| cypstr | Cyperus strigosus | Cyperus strigosus | Straw-Color Flat Sedge | 1 | FACW | -1 | Sedge | Native |
| dazcar | Daucus carota | DAUCUS CAROTA | Queen Anne's Lace | 0 | UPL | 2 | Forb | Adventive |
| erican | Eriogonum canadensis | Eriogonum canadensis | Canadian Horseweed | 0 | FACU | 1 | Forb | Native |
| eristr | Eriogonum strigosus | Eriogonum strigosus | Prairie Fleabane | 5 | FACU | 1 | Forb | Native |
| eupmac | Eupatorium maculatum | Eupatorium maculatum | Spotted Trumpetweed | 4 | OBL | -2 | Forb | Native |
| frapen | Fraxinus pennsylvanica | Fraxinus pennsylvanica subintegerrima | Green Ash | 1 | FACW | -1 | Tree | Native |
| gecan | Gemum canadense | Gemum canadense | White Avens | 1 | FAC | 0 | Forb | Native |
| glymax | Glycine max | GLYCINE MAX | Soybean | 0 | UPL | 2 | Forb | Adventive |
| helgro | Helianthus grosseserratus | Helianthus grosseserratus | Saw-Tooth Sunflower | 2 | FACW | -1 | Forb | Native |
| leory | Leersia oryzoides | Leersia oryzoides | Rice Cut Grass | 4 | OBL | -2 | Grass | Native |
| lobcar | Lobelia cardinalis | Lobelia cardinalis | Cardinal-Flower | 7 | OBL | -2 | Forb | Native |
| lonma | Lonicera maackii | LONICERA MAACKII | Amar Honey Suckle | 0 | UPL | 2 | Shrub | Adventive |
| LONTAT | Lonicera tatarica | LONICERA TATARICA | Twinsisters | 0 | FACU | 1 | Shrub | Adventive |
| lycame | Lycopus americanus | Lycopus americanus | Cut-Leaf Water-Horehound | 5 | OBL | -2 | Forb | Native |
| lytsal | Lythrum salicaria | LITHRUM SALICARIA | Purple Loosestrife | 0 | OBL | -2 | Forb | Adventive |
| parus | Parthenocissus inserta | Parthenocissus inserta | Thicket-Creeper | 1 | FACU | 1 | Vine | Native |
| parqui | Parthenocissus quinquefolia | Parthenocissus quinquefolia | Virginia-Creeper | 2 | FACU | 1 | Vine | Native |
| pensed | Penthorum sedoides | Penthorum sedoides | Ditch-Stonecrop | 5 | OBL | -2 | Forb | Native |
| perlip | Persicaria lapathifolia | Polygonum lapathifolium, POLYGONUM SCABRUM | Deck-Leaf Smartweed | 0 | FACW | -1 | Forb | Native |
| permac | Persicaria maculosa | POLYGONUM PERSICARIA | Lady's-Thumb | 0 | FAC | -1 | Forb | Adventive |
| pelpen | Persicaria pensylvanica | Polygonum pensylvanicum | Pinkweed | 0 | FACU | 1 | Forb | Native |
| phyvir | Phytolacca virginiana | Phytolacca virginiana | Obedient-Plant | 6 | FACW | -1 | Forb | Native |
| pilpum | Pilea pumila | Pilea pumila | Canadian Clearweed | 5 | FACW | -1 | Forb | Native |
| plflan | Plantago lanceolata | PLANTAGO LANCEOLATA | English Plantain | 0 | FACU | 1 | Forb | Adventive |
| popdel | Populus deltoides | Populus deltoides | Eastern Cottonwood | 2 | FAC | 0 | Tree | Native |
| RANSCE | Ranunculus sceleratus | Ranunculus sceleratus | Cursed Buttercup | 6 | OBL | -2 | Forb | Native |
| rhaeat | Rhamnus cathartica | RIHAMNUS CATHARTICA | European Buckthorn | 0 | FAC | 0 | Shrub | Adventive |
| robpsc | Robinia pseudoacacia | ROBINIA PSEUDOACACIA | Black Locust | 0 | FACU | 1 | Tree | Adventive |
| rubens | Rubus flagellaris | Rubus enslemii | Whiplash Dewberry | 3 | FACU | 1 | Shrub | Native |
| rubida | Rubus idaeus ssp. idaeus | RUBUS IDAEUS | Common Red Raspberry | 0 | FAC | 1 | Shrub | Adventive |
| rumcri | Rumex crispus | RUMEX CRISPUS | Curly Dock | 0 | FAC | 0 | Forb | Adventive |
| saglat | Sagittaria latifolia | Sagittaria latifolia | Duck-Potato | 4 | OBL | -2 | Forb | Native |
| salint | Salix interior | Salix interior | Sandbar Willow | 1 | FACW | -1 | Shrub | Native |
| salnig | Salix nigra | Salix nigra | Black Willow | 4 | OBL | -2 | Tree | Native |
| samban | Sambucus nigra ssp. canadensis | Sambucus canadensis | Black Elder | 1 | FACW | -1 | Shrub | Native |
| scirfl | Scheuchzeria palustris | Scheuchzeria palustris | River Club-Rush | 4 | OBL | -2 | Sedge | Native |
| senhie | Senecio hieracifolius | Erechtites hieracifolia | American Burnweed | 2 | FACU | 0 | Forb | Native |
| setfab | Setaria faberi | SETARIA FABERI | Japanese Bristle Grass | 0 | FACU | 1 | Grass | Adventive |
| soldul | Solanum dulcamara | SOLANUM DULCAMARA | Climbing Nightshade | 0 | FAC | 0 | Vine | Adventive |
| solah | Solidago altissima | Solidago altissima | Tall Goldenrod | 1 | FACU | 1 | Forb | Native |
| solgig | Solidago gigantea | Solidago gigantea | Late Goldenrod | 4 | FACW | -1 | Forb | Native |
| rturad | Rhus typhina | Rhus typhina | Eastern Poison-Ivy | 2 | FAC | 0 | Vine | Native |
| verhas | Verbena hastata | Verbena hastata | Simple's-Joy | 4 | FACW | -1 | Forb | Native |

Jurisdictional Determination Opinion: The Des Plaines River is a jurisdictional waters of the United States and a Section 10 Waterway. A jurisdictional request to the Army Corps of Engineers should be submitted to identify the governing agency.

FARMED WETLAND DETERMINATION PROCEDURES

The NRCS determines farmed wetland boundaries through use of existing data, including:

| Exhibit | Title of Data Source | Wetland(s) and/or Hydric Soils Indicated | Comments |
|----------------|---|---|--|
| 1 | U.S. Geological Survey (USGS) topographic map and National Wetland Inventory Map | Yes | NWI does identify a wetland within the agricultural land. |
| 2 | NRCS Swampbuster wetland inventory | No | Not Available |
| 3 | Kenosha County Soils Survey | Yes | Hydric Soils: Montgomery silty clay loam (Mxc), Navan silt loam (Na), Palms muck (Pa) and Wet alluvial land (Wa) |
| 4 | Precipitation Records for Kenosha, WI. | Yes | Years classified for dry, normal, and wet (summary in Table 2) |
| 5 | NRCS wetland spectral response criteria and category definitions used in the interpretation of Farm Service Agency Slides (FSA) | See Table 2 | See Table 2 |

All of the slides were examined and all potential wetland areas (PWA) were indicated on an aerial photograph included in this package. Each potential wetland area was evaluated year by year using the criteria in NRCS criteria, included, and the results are summarized in Table 2.

| 11019 Wilmot Road, Pleasant Prairie, Wisconsin | | | Spectral Signature of Potential Wetland Areas (P.W.A.) | |
|--|---|----------------------|--|----------|
| Year | Precipitation Evaluation for Kenosha, Wisconsin | FSA Slide # observed | P.W.A 1 | P.W.A. 2 |
| 1997 Indicator Year | Wet | 1997.jpg | X | X |
| 2010 Indicator Year | Wet | 2010.jpg | X | X |
| 1990 | Normal | 1990.jpg | | |
| 1993 | Normal | 1993.jpg | X | |
| 1995 | Normal | 1995.jpg | | |
| 1998 | Normal | 1998.jpg | | X |
| 2003 | Normal | 2003.jpg | | |
| 2006 | Normal | 2006.jpg | | |
| Percentage Observed Out of Normal Years | | | 16% | 16% |
| Percentage Observed Out of Normal & Wet Years | | | 37% | 37% |
| Certified Farmed Wetland | | | No | No |
| Farmed Wetland Acreages | | | N/A | N/A |
| Jurisdictional Opinion | | | N/A | N/A |

Based on the spectral analysis for the preferred normal slide years, MEI did not identify and farmed wetlands located on the property. Based on the Normal & Wet years, wet signatures were not present over 37% of the time.

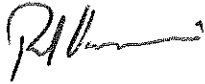
RESULTS

The site was evaluated using U.S. Army Corps of Engineers and USDA guidelines for identifying wetlands. After evaluation of all data obtained, the site does contain one (1) Waters of the United States, Des Plaines River, totaling **23.56 acres or 1,025,990.00 square foot** is size.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Midwest Ecological, Inc. (MEI)



Robert L. Vanni

APPENDIX A

Exhibits

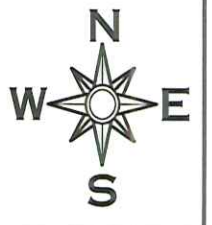


Source: Bing Aerial Photograph 2015



Final Wetland Aerial Photograph

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005



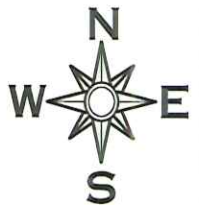


Source: Bing Aerial Photograph 2015



Final Wetland Aerial Photograph

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005



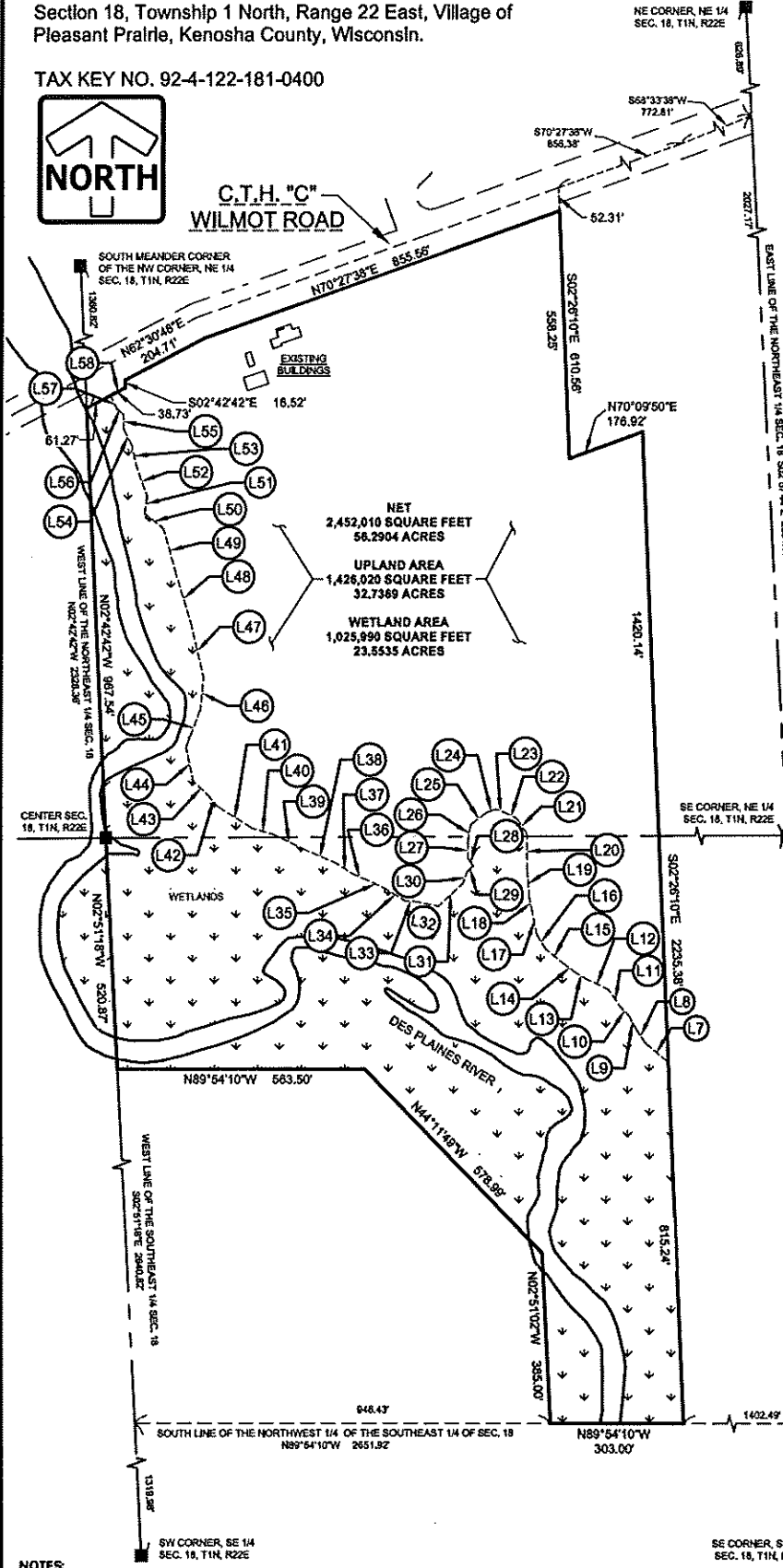
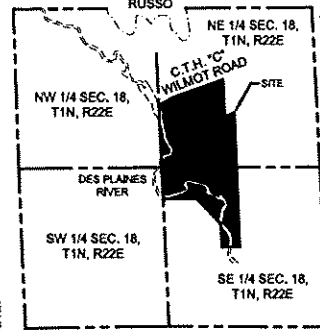
LEGAL DESCRIPTION:

Part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin.

TAX KEY NO. 92-4-122-181-0400



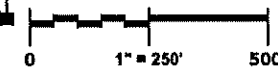
VICINITY SKETCH
SCALE 1"=2000'



LINE TABLE

| LINE NO. | BEARING | DISTANCE |
|----------|-------------|----------|
| L7 | N49°58'55"W | 70.07 |
| L8 | N33°30'59"W | 34.20 |
| L9 | N28°33'03"W | 37.13 |
| L10 | N44°11'01"W | 28.85 |
| L11 | N35°23'22"W | 47.81 |
| L12 | N64°48'15"W | 66.99 |
| L13 | N58°49'17"W | 25.46 |
| L14 | N53°26'40"W | 37.32 |
| L15 | N51°23'44"W | 49.16 |
| L16 | N31°48'41"W | 39.87 |
| L17 | N11°15'44"W | 68.36 |
| L18 | N11°46'57"W | 25.41 |
| L19 | N04°47'03"W | 64.97 |
| L20 | N00°34'00"W | 80.78 |
| L21 | N33°56'17"W | 39.69 |
| L22 | N64°14'11"W | 29.51 |
| L23 | N69°05'44"W | 23.45 |
| L24 | S70°31'04"W | 22.46 |
| L25 | S52°59'16"W | 44.79 |
| L26 | S09°45'27"W | 40.82 |
| L27 | S02°23'14"E | 37.57 |
| L28 | S34°48'51"E | 18.86 |
| L29 | S45°25'12"W | 20.45 |
| L30 | S18°18'06"W | 26.22 |
| L31 | S47°36'36"W | 76.57 |
| L32 | N78°00'32"W | 49.26 |
| L33 | N85°04'27"W | 28.53 |
| L34 | N57°54'24"W | 60.72 |
| L35 | N65°04'03"W | 51.35 |
| L36 | N67°41'33"W | 28.10 |
| L37 | N57°43'28"W | 48.26 |
| L38 | N66°47'33"W | 77.21 |
| L39 | N64°23'51"W | 78.47 |
| L40 | N73°35'07"W | 50.41 |
| L41 | N58°13'56"W | 91.58 |
| L42 | N40°37'14"W | 32.07 |
| L43 | N46°18'42"W | 48.71 |
| L44 | N11°58'39"W | 77.53 |
| L45 | N21°03'16"E | 91.93 |
| L46 | N05°10'46"E | 71.54 |
| L47 | N13°17'46"W | 121.47 |
| L48 | N16°37'28"W | 122.93 |
| L49 | N15°58'13"W | 102.39 |
| L50 | N61°30'18"W | 54.99 |
| L51 | N66°35'08"E | 39.21 |
| L52 | N20°10'36"W | 71.87 |
| L53 | N12°41'20"W | 47.86 |
| L54 | N27°08'13"W | 43.96 |
| L55 | N00°50'50"E | 31.11 |
| L56 | N51°08'18"W | 19.18 |
| L57 | N26°50'43"W | 34.12 |
| L58 | N62°30'48"E | 100.07 |

GRAPHICAL SCALE (FEET)



NOTES:

- Wetlands delineated by Midwest Ecological, Inc. August 2015.
- Location of the DES PLAINES RIVER per the Kenosha County Interactive Mapping System.

WETLAND MAP

09/15/2015

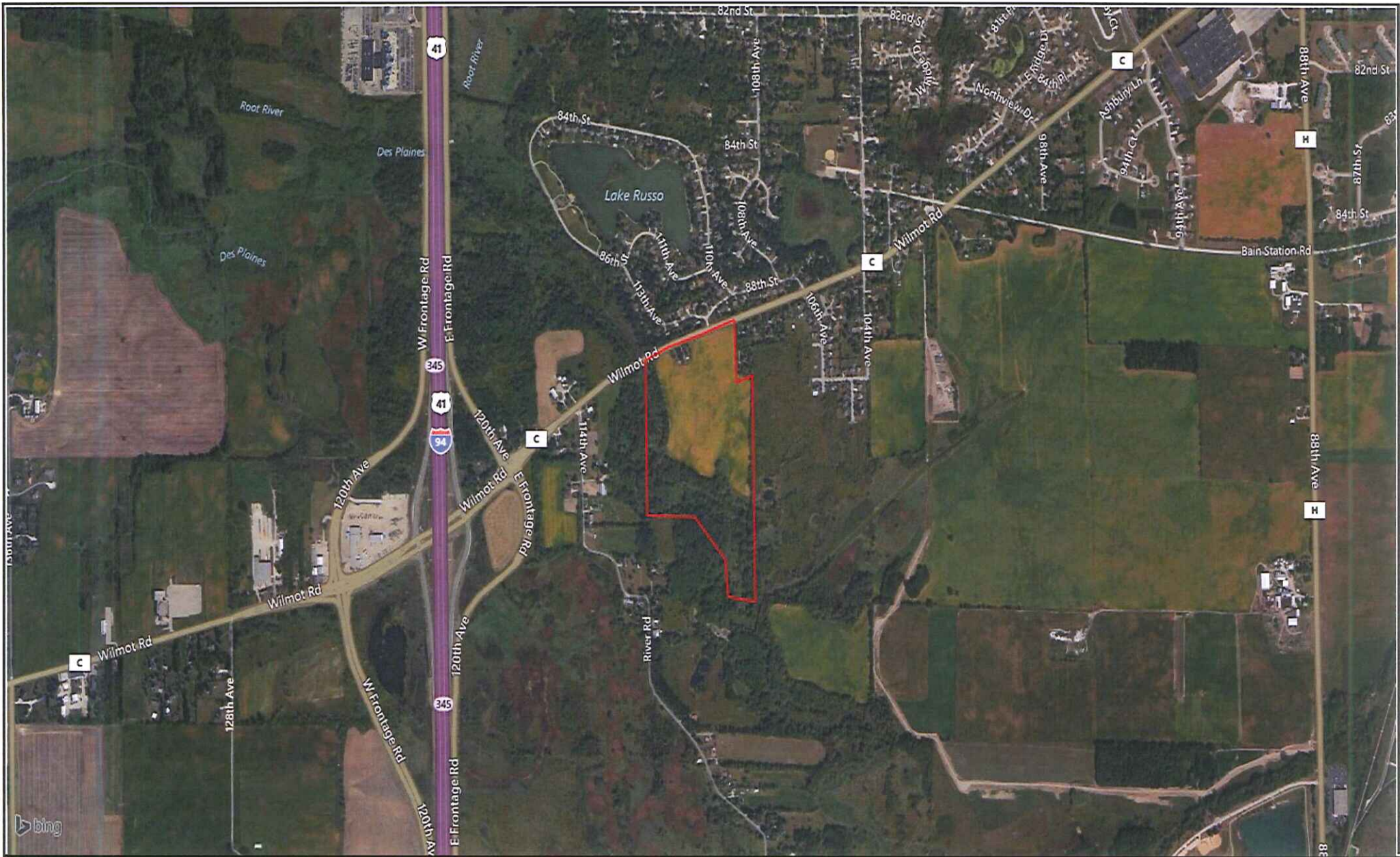
PINNACLE ENGINEERING GROUP

PLAN | DESIGN | DELIVER

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

WWW.PINNACLE-ENGR.COM PEG

PEG JOB#517.00

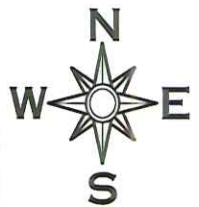


Source: Bing Street Finder 2015



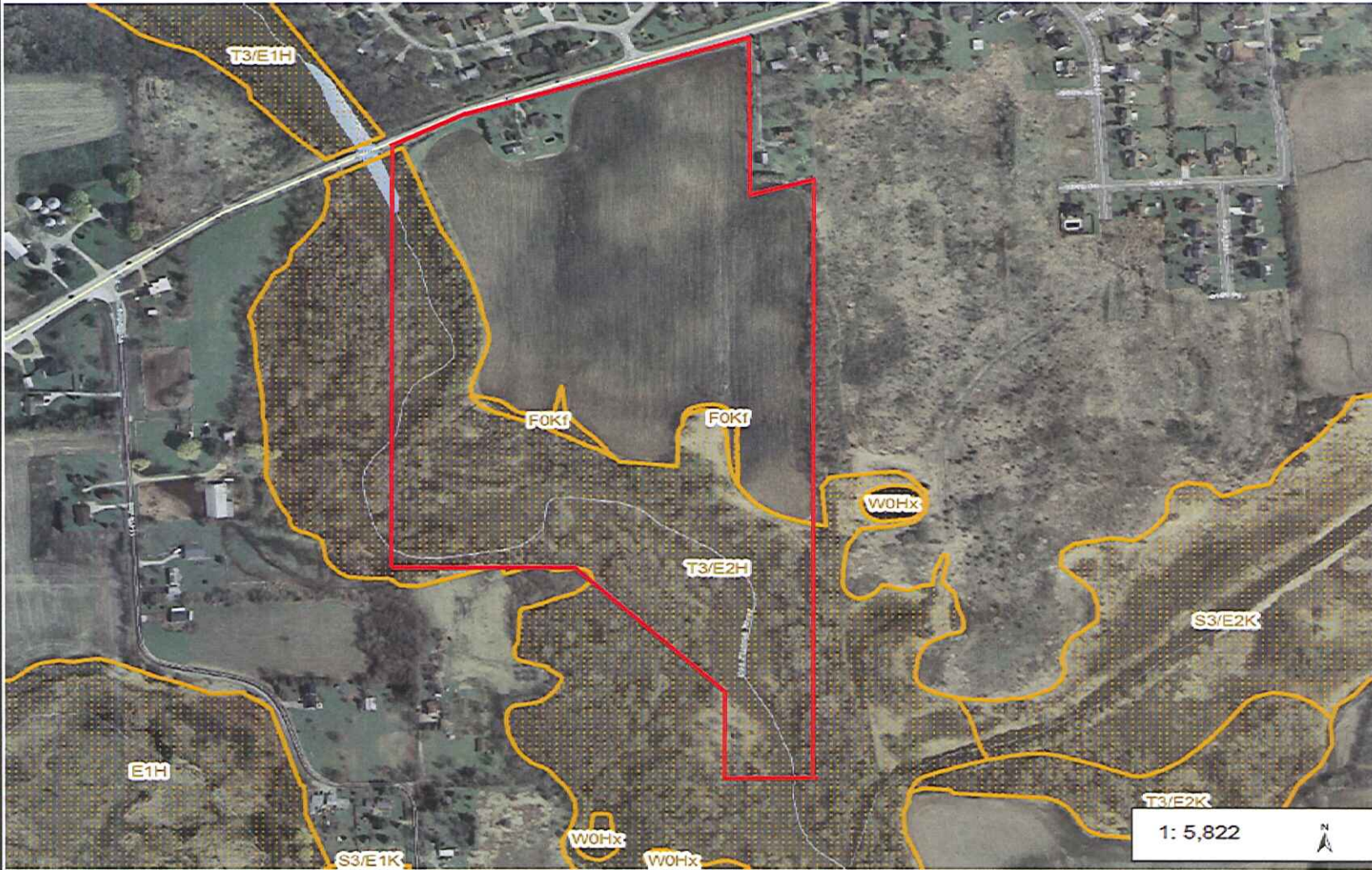
Location Map

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005





Surface Water Data Viewer Map



Legend

- Wetland Class Points**
 - Dammed pond
 - Excavated pond
 - Filled excavated pond
 - Filled/draind wetland
 - Wetland too small to delineate
- Filled Points**
- Wetland Class Areas**
 - Wetland
 - Upland
- Filled Areas**
- Rivers and Streams
- Open Water
- 2010 Air Photos (WROC)

Notes

0.2 0 0.09 0.2 Miles

NAD_1983_HARN_Wisconsin_TM
© Latitude Geographics Group Ltd.

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/org/legal/>

1: 5,822

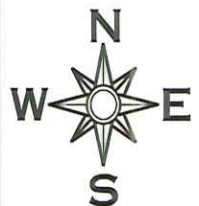


Source: Wisconsin Wetland Inventory Map



W.D.N.R. Map

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005





U.S. Fish and Wildlife Service

National Wetlands Inventory



Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverine
-  Other

Riparian

-  Herbaceous
-  Forested/Shrub

Riparian Status

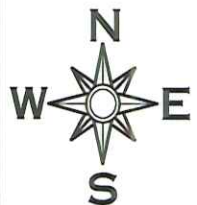
-  Digital Data

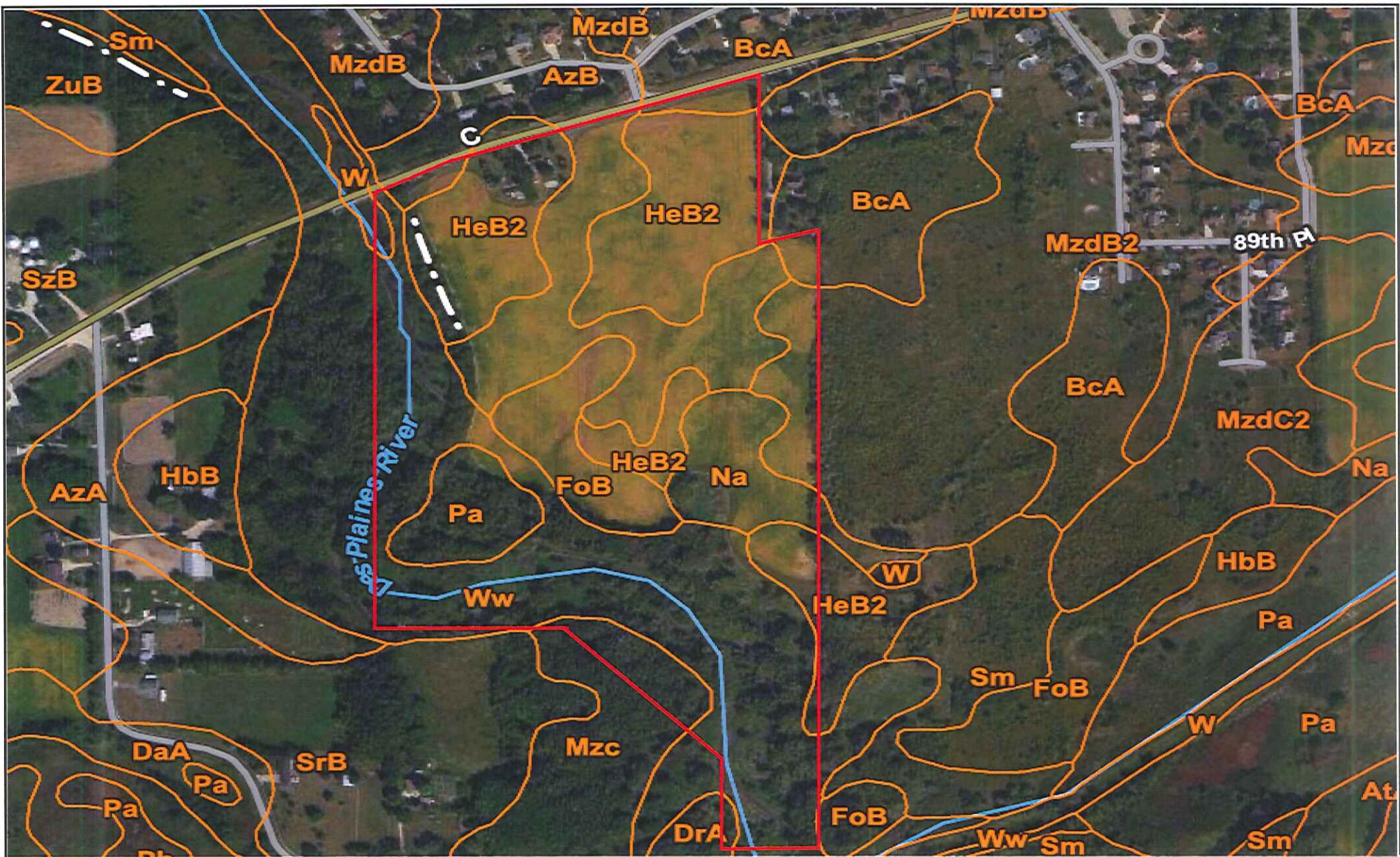
Source: National Wetland Inventory Map



N.W.I. Map

Client: Adam Artz, Pinnacle Engineering Group
 15850 W. Bluemound Road, Ste 210
 Brookfield, Wisconsin 53005



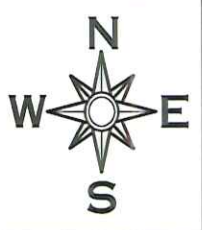


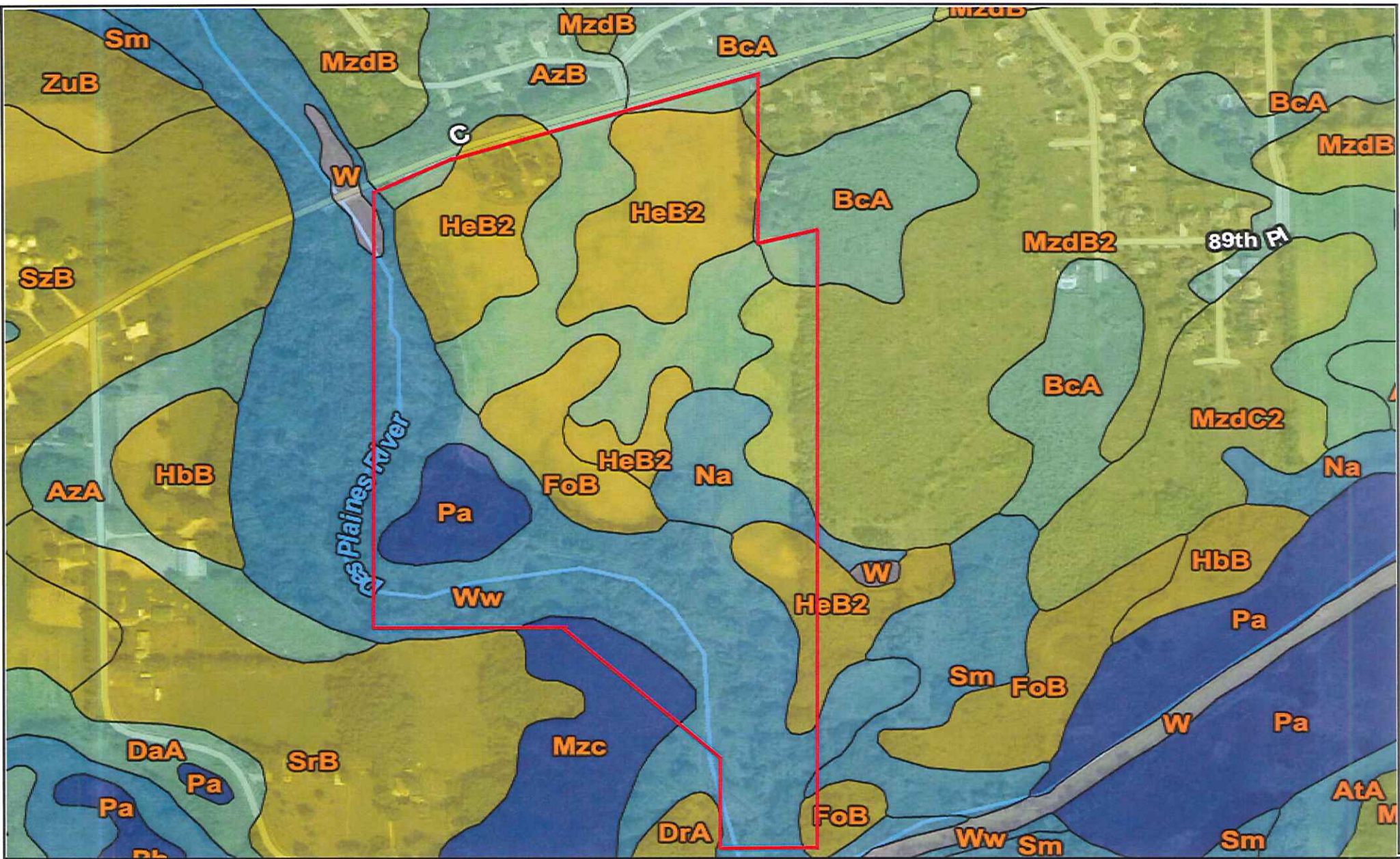
Source: NRCS Websoil Survey Map



Soil Map

Client: Adam Artz, Pinnacle Engineering Group
 15850 W. Bluemound Road, Ste 210
 Brookfield, Wisconsin 53005



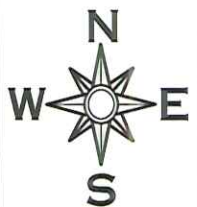


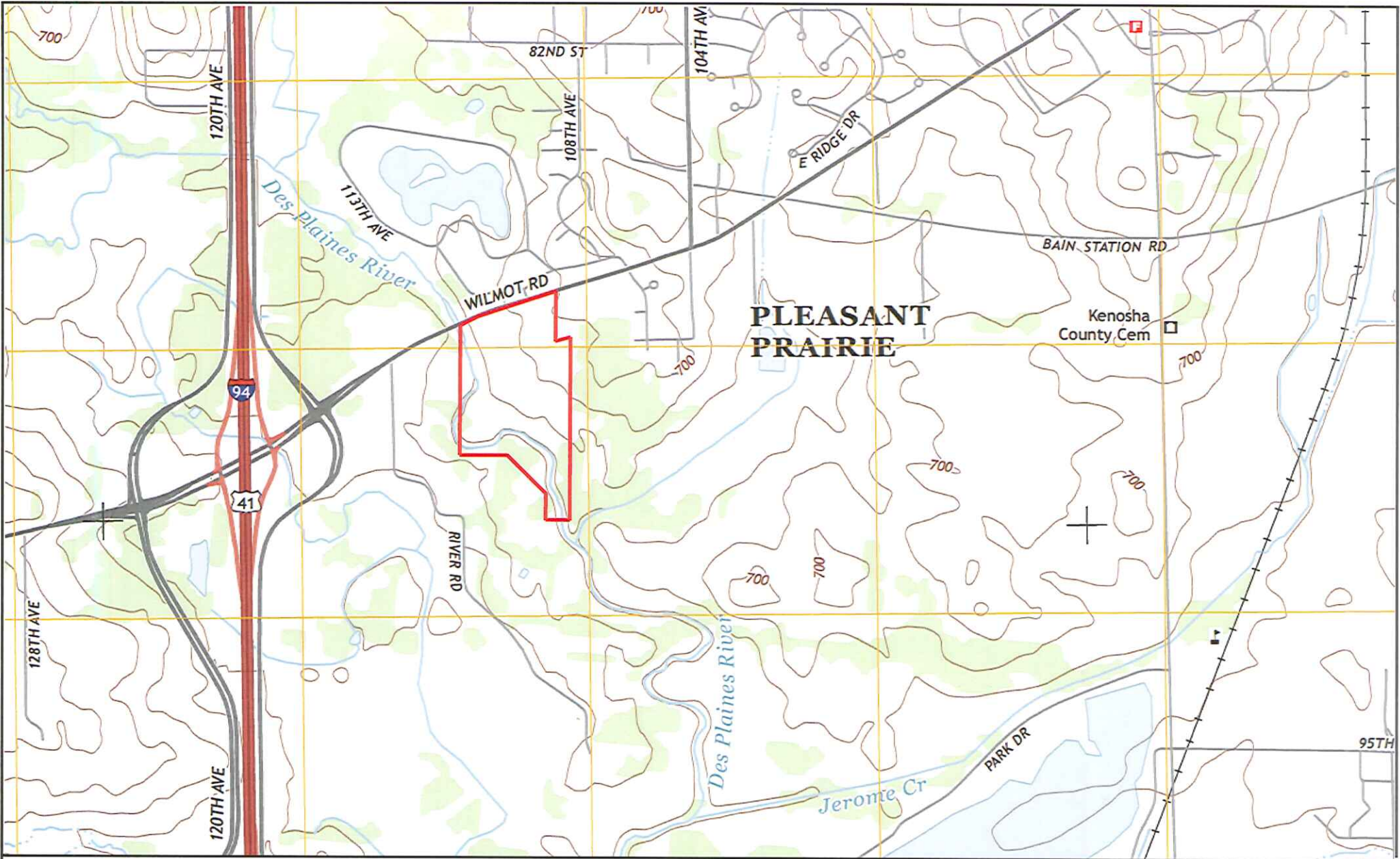
Source: NRCS Websoil Survey Map



Drainage Class Map

Client: Adam Artz, Pinnacle Engineering Group
 15850 W. Bluemound Road, Ste 210
 Brookfield, Wisconsin 53005



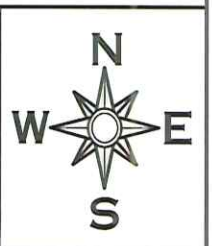


Source: United States Geological Survey Map (2013)



U.S.G.S. Map

Client: Adam Artz, Pinnacle Engineering Group
 15850 W. Bluemound Road, Ste 210
 Brookfield, Wisconsin 53005



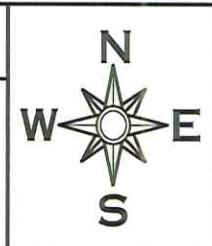


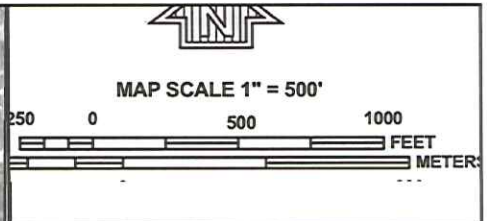
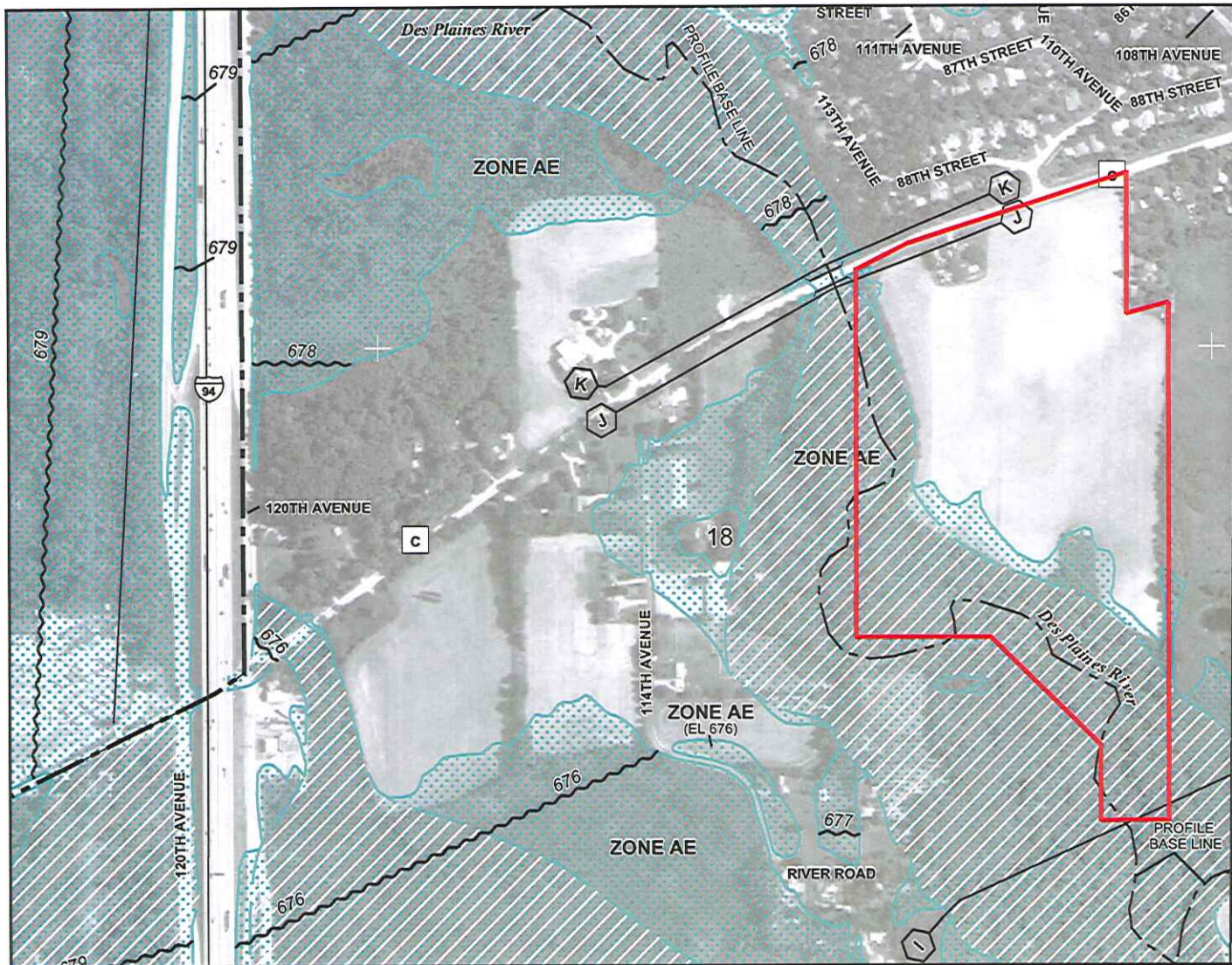
Source: United States Geological Survey Map (2010)



U.S.G.S. Map

Client: Adam Artz, Pinnacle Engineering Group
 15850 W. Bluemound Road, Ste 210
 Brookfield, Wisconsin 53005





PANEL 0187D

FIRM
FLOOD INSURANCE RATE MAP
KENOSHA COUNTY,
WISCONSIN
AND INCORPORATED AREAS

PANEL 187 OF 331
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

| COMMUNITY | NUMBER | PANEL | SUFFIX |
|------------------------------|--------|-------|--------|
| BRIGHTON, VILLAGE OF | 150095 | 0187 | D |
| PLEASANT PRAIRIE, VILLAGE OF | 150013 | 0187 | D |

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
 55059C0187D
EFFECTIVE DATE
 JUNE 19, 2012

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Source: Federal Insurance Rate Map



F.I.R.M. Map

Client: Adam Artz, Pinnacle Engineering Group
 15850 W. Bluemound Road, Ste 210
 Brookfield, Wisconsin 53005



APPENDIX B

FSA Farmed Wetland Slide Review

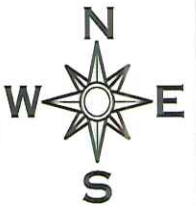


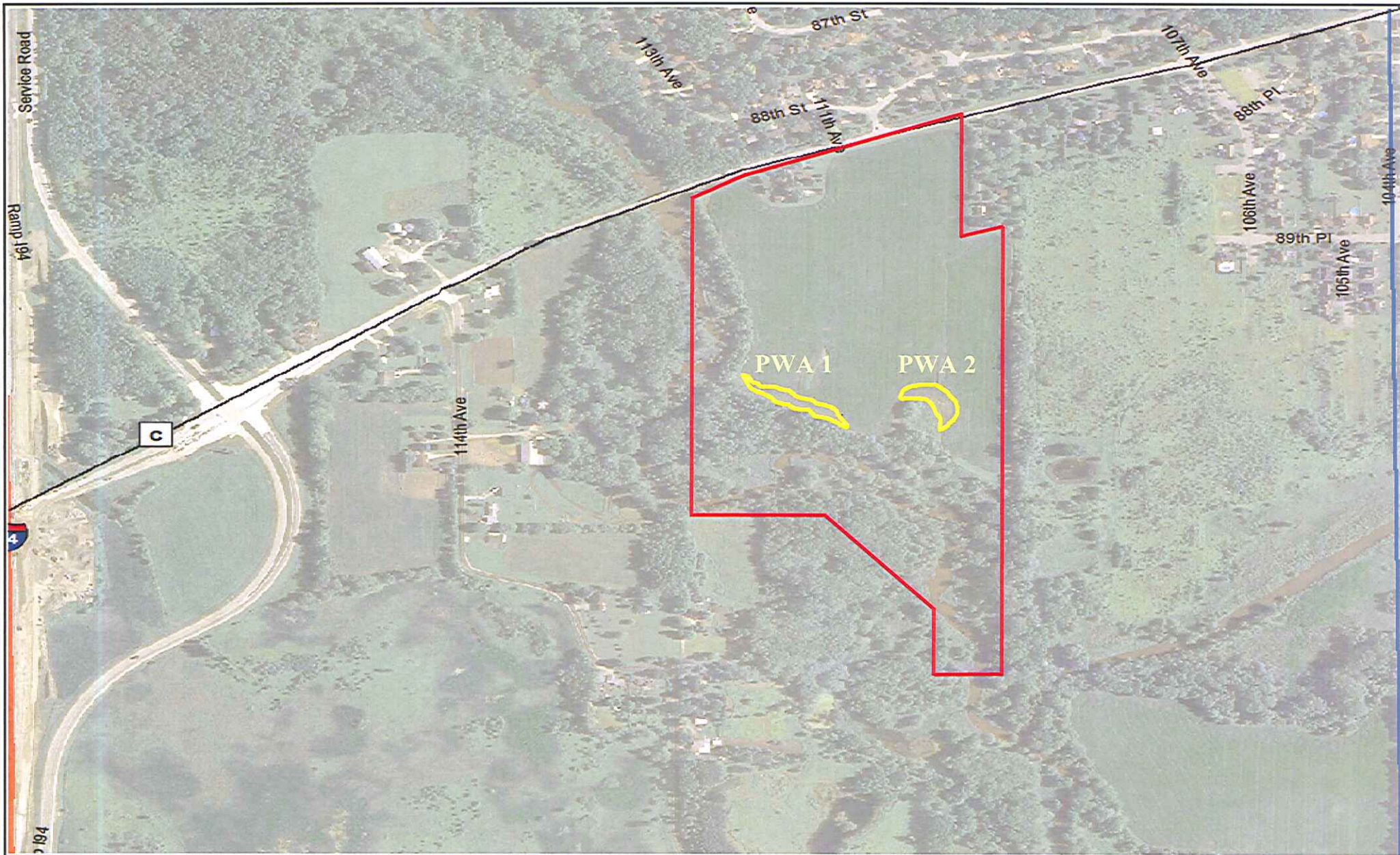
Source: Farm Service Agency (FSA) Slide Review (1997) **Indicator Year**



FSA Map

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005



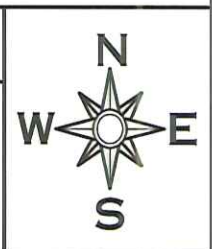


Source: Farm Service Agency (FSA) Slide Review (2010) *Indicator Year*



FSA Map

Client: Adam Artz, Pinnacle Engineering Group
 15850 W. Bluemound Road, Ste 210
 Brookfield, Wisconsin 53005



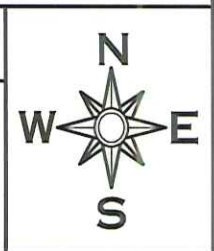


Source: Farm Service Agency (FSA) Slide Review (1990)



FSA Map

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005



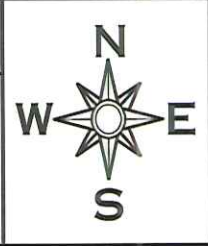


Source: Farm Service Agency (FSA) Slide Review (1993)



FSA Map

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005



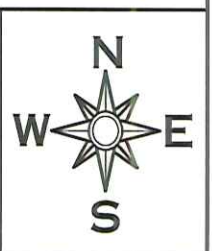


Source: Farm Service Agency (FSA) Slide Review (1995)



FSA Map

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005

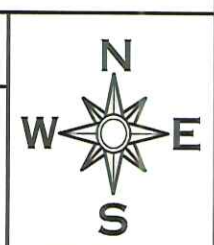




Source: Farm Service Agency (FSA) Slide Review (1998)



| | |
|--|--|
| FSA Map | |
| Client: Adam Artz, Pinnacle Engineering Group 15850 W. Bluemound Road, Ste 210 Brookfield, Wisconsin 53005 | |



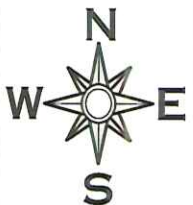


Source: Farm Service Agency (FSA) Slide Review (2003)



FSA Map

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005



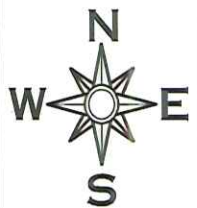


Source: Farm Service Agency (FSA) Slide Review (2006)



FSA Map

Client: Adam Artz, Pinnacle Engineering Group
15850 W. Bluemound Road, Ste 210
Brookfield, Wisconsin 53005



APPENDIX C

Data Sheets

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 11019 Wilnot Road City/County: Pleasant Prairie, Kenosha Sampling Date: 08-10-2015

Applicant/Owner: Pinnacle Engineering Group State: Wisconsin Sampling Point: DP 1

Investigator(s): Robert Vanni Section, Township, Range: Sec 18, T1N, R 22E

Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): concave

Slope (%): 0-2 Lat: 42.547470 Long: -87.942631 Datum: _____

Soil Map Unit Name: Wet alluvial land (Ww) NWI or WWI classification: Yes

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____

Are Vegetation _____, Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | | | |
|---------------------------------|--|--|--|
| Hydrophytic Vegetation Present? | Yes <input checked="" type="checkbox"/> No _____ | Is the Sampled Area within a Wetland? | Yes <input checked="" type="checkbox"/> No _____ |
| Hydric Soil Present? | Yes <input checked="" type="checkbox"/> No _____ | | |
| Wetland Hydrology Present? | Yes <input checked="" type="checkbox"/> No _____ | | |

Remarks:

This soil identified is only suitable for wetland wildlife. The portion of the Des Plaines River ecosystem is within the flood plain and floodway.

VEGETATION – Use scientific names of plants.

| Tree Stratum (Plot size: _____) | Absolute % Cover | Dominant Species? | Indicator Status | Dominance Test worksheet: | |
|--|------------------|-------------------|------------------|--|-------------------------------|
| 1. <u>Salix nigra</u> | 20 | Yes | OBL | Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) | |
| 2. <u>Acer negundo</u> | 5 | No | FACW | Total Number of Dominant Species Across All Strata: <u>2</u> (B) | |
| 3. _____ | _____ | _____ | _____ | Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B) | |
| 4. _____ | _____ | _____ | _____ | Prevalence Index worksheet: | |
| 5. _____ | _____ | _____ | _____ | Total % Cover of: _____ Multiply by: _____ | |
| <u>25</u> = Total Cover | | | | OBL species | <u>20</u> x 1 = <u>20</u> |
| Sapling/Shrub Stratum (Plot size: _____) | | | | FACW species | <u>70</u> x 2 = <u>140</u> |
| 1. _____ | _____ | _____ | _____ | FAC species | <u>0</u> x 3 = <u>0</u> |
| 2. _____ | _____ | _____ | _____ | FACU species | <u>10</u> x 4 = <u>40</u> |
| 3. _____ | _____ | _____ | _____ | UPL species | <u>0</u> x 5 = <u>0</u> |
| 4. _____ | _____ | _____ | _____ | Column Totals: | <u>100</u> (A) <u>200</u> (B) |
| 5. _____ | _____ | _____ | _____ | Prevalence Index = B/A = <u>2.00</u> | |
| _____ = Total Cover | | | | Hydrophytic Vegetation Indicators: | |
| Herb Stratum (Plot size: _____) | | | | <input checked="" type="checkbox"/> Dominance Test is >50% | |
| 1. <u>Phalaris arundinacea</u> | 60 | Yes | FACW | <input checked="" type="checkbox"/> Prevalence Index is ≤3.0 ¹ | |
| 2. <u>Physostegia virginiana</u> | 5 | No | FACW | ____ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) | |
| 3. <u>Cirsium arvense</u> | 5 | No | FACU | ____ Problematic Hydrophytic Vegetation ¹ (Explain) | |
| 4. <u>Persicaria pensylvanica</u> | 5 | No | FACU | ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. | |
| 5. _____ | _____ | _____ | _____ | Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No _____ | |
| 6. _____ | _____ | _____ | _____ | | |
| 7. _____ | _____ | _____ | _____ | | |
| 8. _____ | _____ | _____ | _____ | | |
| 9. _____ | _____ | _____ | _____ | | |
| 10. _____ | _____ | _____ | _____ | | |
| <u>75</u> = Total Cover | | | | | |
| Woody Vine Stratum (Plot size: _____) | | | | | |
| 1. _____ | _____ | _____ | _____ | | |
| 2. _____ | _____ | _____ | _____ | | |
| _____ = Total Cover | | | | | |

Remarks: (Include photo numbers here or on a separate sheet.)

Data Point was taken within the flagged wetland area.

SOIL

Sampling Point: DP 1

| Profile Description: (Describe to the depth needed to document the Indicator or confirm the absence of indicators.) | | | | | | | | |
|---|---------------|-----|----------------|----|-------------------|------------------|---------|-------------|
| Depth (Inches) | Matrix | | Redox Features | | | | Texture | Remarks |
| | Color (moist) | % | Color (moist) | % | Type ¹ | Loc ² | | |
| 0-10" | N 2/0 | 100 | | | C | M | SIL | |
| 10-16" | 10 YR 2/1 | 70 | 10 YR 3/1 | 20 | C | M | SL | sandy redox |
| | | | 10 YR 4/2 | 10 | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

| | | |
|--|---|--|
| Hydric Soil Indicators: <input type="checkbox"/> Histosol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input checked="" type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) <input checked="" type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8) | Indicators for Problematic Hydric Soils³: <input type="checkbox"/> Coast Prairie Redox (A16) <input type="checkbox"/> Iron-Manganese Masses (F12) <input type="checkbox"/> Other (Explain in Remarks) |
|--|---|--|

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

| | |
|---|---|
| Restrictive Layer (if observed): Type: _____ Depth (inches): _____ | Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ |
|---|---|

Remarks:

Hydric soils were noted within the sample point.

HYDROLOGY

| | | |
|---|---|---|
| Wetland Hydrology Indicators: | | |
| Primary Indicators (minimum of one is required; check all that apply) | | Secondary Indicators (minimum of two required) |
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Water-Stained Leaves (B9) | <input checked="" type="checkbox"/> Surface Soil Cracks (B6) |
| <input checked="" type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Fauna (B13) | <input checked="" type="checkbox"/> Drainage Patterns (B10) |
| <input checked="" type="checkbox"/> Saturation (A3) | <input type="checkbox"/> True Aquatic Plants (B14) | <input type="checkbox"/> Dry-Season Water Table (C2) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) | <input checked="" type="checkbox"/> Crayfish Burrows (C8) |
| <input checked="" type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) | <input checked="" type="checkbox"/> Saturation Visible on Aerial Imagery (C9) |
| <input checked="" type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) | <input type="checkbox"/> Stunted or Stressed Plants (D1) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) | <input type="checkbox"/> Geomorphic Position (D2) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) | <input type="checkbox"/> FAC-Neutral Test (D5) |
| <input checked="" type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Gauge or Well Data (D9) | |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Other (Explain in Remarks) | |

| | |
|--|---|
| Field Observations: Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? (includes capillary fringe) Yes <input checked="" type="checkbox"/> No _____ Depth (inches): <u>1"</u> | Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____ |
|--|---|

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland hydrology was present during our on-site investigation.

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 11019 Wilmot Road City/County: Pleasant Prairie, Kenosha Sampling Date: 08-10-2015

Applicant/Owner: Pinnacle Engineering Group State: Wisconsin Sampling Point: DP 2

Investigator(s): Robert Vanni Section, Township, Range: Sec 18, T1N, R 22E

Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): concave

Slope (%): 0-2 Lat: 42.545533 Long: -87.941582 Datum: _____

Soil Map Unit Name: Wet alluvial land (Ww) NWI or WWI classification: Yes

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | |
|--|---|
| Hydrophytic Vegetation Present? Yes _____ No <u>X</u> Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes _____ No <u>X</u> | Is the Sampled Area within a Wetland? Yes _____ No <u>X</u> |
| Remarks: _____ | |

VEGETATION – Use scientific names of plants.

| <u>Tree Stratum</u> (Plot size: _____) | Absolute % Cover | Dominant Species? | Indicator Status | Dominance Test worksheet: | | | | | | | | | | | | | | |
|--|------------------|-------------------|------------------|--|-------------------|--------------|----------------------|----------------|-----------------------|----------------|----------------------|----------------|-----------------------|----------------|------------------------|------------------|-------------------------------|----------------|
| 1. _____ | _____ | _____ | _____ | Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B) | | | | | | | | | | | | | | |
| 2. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 3. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 4. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 5. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| _____ = Total Cover | | | | Prevalence Index worksheet: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">Total % Cover of:</td> <td style="width:50%; text-align: center;">Multiply by:</td> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>0</u></td> <td>x 3 = <u>0</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>100</u></td> <td>x 5 = <u>500</u></td> </tr> <tr> <td>Column Totals: <u>100</u> (A)</td> <td><u>500</u> (B)</td> </tr> </table> Prevalence Index = B/A = <u>5.00</u> | Total % Cover of: | Multiply by: | OBL species <u>0</u> | x 1 = <u>0</u> | FACW species <u>0</u> | x 2 = <u>0</u> | FAC species <u>0</u> | x 3 = <u>0</u> | FACU species <u>0</u> | x 4 = <u>0</u> | UPL species <u>100</u> | x 5 = <u>500</u> | Column Totals: <u>100</u> (A) | <u>500</u> (B) |
| Total % Cover of: | Multiply by: | | | | | | | | | | | | | | | | | |
| OBL species <u>0</u> | x 1 = <u>0</u> | | | | | | | | | | | | | | | | | |
| FACW species <u>0</u> | x 2 = <u>0</u> | | | | | | | | | | | | | | | | | |
| FAC species <u>0</u> | x 3 = <u>0</u> | | | | | | | | | | | | | | | | | |
| FACU species <u>0</u> | x 4 = <u>0</u> | | | | | | | | | | | | | | | | | |
| UPL species <u>100</u> | x 5 = <u>500</u> | | | | | | | | | | | | | | | | | |
| Column Totals: <u>100</u> (A) | <u>500</u> (B) | | | | | | | | | | | | | | | | | |
| Sapling/Shrub Stratum (Plot size: _____) | | | | Hydrophytic Vegetation Indicators: ___ Dominance Test is >50% ___ Prevalence Index is ≤3.0 ¹ ___ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. | | | | | | | | | | | | | | |
| 1. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 2. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 3. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 4. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 5. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| _____ = Total Cover | | | | | | | | | | | | | | | | | | |
| Herb Stratum (Plot size: _____) | | | | | | | | | | | | | | | | | | |
| 1. <u>Glycine max</u> | <u>100</u> | <u>Yes</u> | <u>UPL</u> | | | | | | | | | | | | | | | |
| 2. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 3. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 4. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 5. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 6. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 7. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 8. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 9. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 10. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| <u>100</u> = Total Cover | | | | | | | | | | | | | | | | | | |
| Woody Vine Stratum (Plot size: _____) | | | | | | | | | | | | | | | | | | |
| 1. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| 2. _____ | _____ | _____ | _____ | | | | | | | | | | | | | | | |
| _____ = Total Cover | | | | | | | | | | | | | | | | | | |
| Hydrophytic Vegetation Present? Yes _____ No <u>X</u> | | | | | | | | | | | | | | | | | | |
| Remarks: (Include photo numbers here or on a separate sheet.) | | | | | | | | | | | | | | | | | | |
| Data Point was taken within the farming area. Crop stress within the sample point was not noted. | | | | | | | | | | | | | | | | | | |

SOIL

Sampling Point: DP 2

| Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.) | | | | | | | | |
|---|---------------|-----|----------------|----|-------------------|------------------|---------|----------------|
| Depth (inches) | Matrix | | Redox Features | | | | Texture | Remarks |
| | Color (moist) | % | Color (moist) | % | Type ¹ | Loc ² | | |
| 0-6" | 10 YR 3/1 | 100 | | | C | M | SL | sand was noted |
| 6-14" | 10 YR 2/1 | 95 | 10 YR 4/2 | 5 | C | M | SL | |
| 14-22" | 10 YR 4/2 | 90 | 2.5 Y 6/2 | 10 | C | M | Loam | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

| | |
|--|---|
| Hydric Soil Indicators: <input type="checkbox"/> Histosol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input checked="" type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | Indicators for Problematic Hydric Soils³: <input type="checkbox"/> Sandy Gleyed Matrix (S4) <input checked="" type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8) <input type="checkbox"/> Coast Prairie Redox (A16) <input type="checkbox"/> Iron-Manganese Masses (F12) <input type="checkbox"/> Other (Explain in Remarks) |
|--|---|

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

| | |
|---|--|
| Restrictive Layer (if observed): Type: _____ Depth (inches): _____ | Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ |
|---|--|

Remarks:

Hydric soils were noted within the sample point.

HYDROLOGY

| | | |
|--|---|---|
| Wetland Hydrology Indicators: | | |
| Primary Indicators (minimum of one is required; check all that apply) <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Water-Stained Leaves (B9) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks) | Secondary Indicators (minimum of two required) <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> FAC-Neutral Test (D5) |
| Field Observations: Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): >21" (includes capillary fringe) | | Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/> |
| Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: | | |
| Remarks: Wetland hydrology was not present during our on-site investigation. | | |

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 11019 Wilmot Road City/County: Pleasant Prairie, Kenosha Sampling Date: 08-10-2015

Applicant/Owner: Pinnacle Engineering Group State: Wisconsin Sampling Point: DP 3

Investigator(s): Robert Vanni Section, Township, Range: Sec 18, T1N, R 22E

Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): concave

Slope (%): 0-2 Lat: 42.544956 Long: -87.940194 Datum: _____

Soil Map Unit Name: Wet alluvial land (Ww) NWI or WWI classification: Yes

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____

Are Vegetation _____, Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | | | |
|---------------------------------|--|--|--|
| Hydrophytic Vegetation Present? | Yes <input checked="" type="checkbox"/> No _____ | Is the Sampled Area within a Wetland? | Yes <input checked="" type="checkbox"/> No _____ |
| Hydric Soil Present? | Yes <input checked="" type="checkbox"/> No _____ | | |
| Wetland Hydrology Present? | Yes <input checked="" type="checkbox"/> No _____ | | |

Remarks:

This soil identified is only suitable for wetland wildlife. The portion of the Des Plaines River ecosystem is within the flood plain and floodway.

VEGETATION – Use scientific names of plants.

| Tree Stratum (Plot size: _____) | Absolute % Cover | Dominant Species? | Indicator Status | Dominance Test worksheet: |
|--|---------------------|-------------------|------------------|--|
| 1. <u>Salix nigra</u> | 5 | No | OBL | |
| 2. <u>Acer negundo</u> | 25 | Yes | FACW | Total Number of Dominant Species Across All Strata: <u>1</u> (B) |
| 3. <u>Rhamnus cathartica</u> | 10 | No | FAC | Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B) |
| 4. <u>Fraxinus pennsylvanica</u> | 10 | No | FACW | |
| 5. _____ | | | | |
| | 50 = Total Cover | | | |
| Sapling/Shrub Stratum (Plot size: _____) | Absolute % Cover | Dominant Species? | Indicator Status | Prevalence Index worksheet: |
| 1. <u>Sambucus nigra</u> | 10 | No | FACW | |
| 2. _____ | | | | OBL species <u>5</u> x 1 = <u>5</u> |
| 3. _____ | | | | FACW species <u>55</u> x 2 = <u>110</u> |
| 4. _____ | | | | FAC species <u>25</u> x 3 = <u>75</u> |
| 5. _____ | | | | FACU species <u>5</u> x 4 = <u>20</u> |
| | 10 = Total Cover | | | UPL species <u>0</u> x 5 = <u>0</u> |
| | | | | Column Totals: <u>90</u> (A) <u>210</u> (B) |
| | | | | Prevalence Index = B/A = <u>2.33</u> |
| Herb Stratum (Plot size: _____) | Absolute % Cover | Dominant Species? | Indicator Status | Hydrophytic Vegetation Indicators: |
| 1. <u>Phalaris arundinacea</u> | 10 | No | FACW | |
| 2. <u>Ambrosia trifida</u> | 5 | No | FAC | <input checked="" type="checkbox"/> Prevalence Index is ≤3.0 ¹ |
| 3. <u>Cirsium arvense</u> | 5 | No | FACU | ____ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) |
| 4. <u>Alliaria petiolata</u> | 10 | No | FAC | ____ Problematic Hydrophytic Vegetation ¹ (Explain) |
| 5. _____ | | | | |
| 6. _____ | | | | |
| 7. _____ | | | | |
| 8. _____ | | | | |
| 9. _____ | | | | |
| 10. _____ | | | | |
| | 30 = Total Cover | | | ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. |
| Woody Vine Stratum (Plot size: _____) | Absolute % Cover | Dominant Species? | Indicator Status | Hydrophytic Vegetation Present? |
| 1. _____ | | | | |
| 2. _____ | | | | |
| | _____ = Total Cover | | | |

Remarks: (Include photo numbers here or on a separate sheet.)

Data Point was taken within the flagged wetland area.

SOIL

Sampling Point: DP 3

| Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.) | | | | | | | | |
|--|---------------|-----|--|----|-------------------|---|---------|---------------------------|
| Depth (inches) | Matrix | | Redox Features | | | | Texture | Remarks |
| | Color (moist) | % | Color (moist) | % | Type ¹ | Loc ² | | |
| 0-10" | 10 YR 2/1 | 100 | | | C | M | L | |
| 10-14" | 10 YR 2/1 | 80 | 10 YR 4/1 | 20 | C | M | L | traces of sand were noted |
| 14-22 | 10 YR 4/1 | 80 | 10 YR 4/2 | 15 | C | M | SL | sand |
| | | | 10 YR 5/6 | 5 | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| ¹ Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ² Location: PL=Pore Lining, M=Matrix. | | | | | | | | |
| Hydric Soil Indicators: | | | Indicators for Problematic Hydric Soils ³ : | | | | | |
| <input type="checkbox"/> Histosol (A1) | | | <input type="checkbox"/> Sandy Gleyed Matrix (S4) | | | <input type="checkbox"/> Coast Prairie Redox (A16) | | |
| <input type="checkbox"/> Histic Epipedon (A2) | | | <input checked="" type="checkbox"/> Sandy Redox (S5) | | | <input type="checkbox"/> Iron-Manganese Masses (F12) | | |
| <input type="checkbox"/> Black Histic (A3) | | | <input type="checkbox"/> Stripped Matrix (S6) | | | <input type="checkbox"/> Other (Explain in Remarks) | | |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | | | <input type="checkbox"/> Loamy Mucky Mineral (F1) | | | ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic. | | |
| <input type="checkbox"/> Stratified Layers (A5) | | | <input type="checkbox"/> Loamy Gleyed Matrix (F2) | | | | | |
| <input type="checkbox"/> 2 cm Muck (A10) | | | <input type="checkbox"/> Depleted Matrix (F3) | | | | | |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | | | <input type="checkbox"/> Redox Dark Surface (F6) | | | | | |
| <input checked="" type="checkbox"/> Thick Dark Surface (A12) | | | <input type="checkbox"/> Depleted Dark Surface (F7) | | | | | |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | | | <input type="checkbox"/> Redox Depressions (F8) | | | | | |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | | | | | | | | |
| Restrictive Layer (if observed): | | | | | | | | |
| Type: _____ | | | | | | | | |
| Depth (inches): _____ | | | | | | Hydric Soil Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | |
| Remarks: | | | | | | | | |
| Hydric soils were noted within the sample point. | | | | | | | | |

HYDROLOGY

| Wetland Hydrology Indicators: | | | |
|--|---|--|--|
| Primary Indicators (minimum of one is required; check all that apply) | | Secondary Indicators (minimum of two required) | |
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Water-Stained Leaves (B9) | <input checked="" type="checkbox"/> Surface Soil Cracks (B6) | |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Fauna (B13) | <input type="checkbox"/> Drainage Patterns (B10) | |
| <input checked="" type="checkbox"/> Saturation (A3) | <input type="checkbox"/> True Aquatic Plants (B14) | <input type="checkbox"/> Dry-Season Water Table (C2) | |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) | <input type="checkbox"/> Crayfish Burrows (C8) | |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) | <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) | |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) | <input type="checkbox"/> Stunted or Stressed Plants (D1) | |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) | <input type="checkbox"/> Geomorphic Position (D2) | |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) | <input type="checkbox"/> FAC-Neutral Test (D5) | |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Gauge or Well Data (D9) | | |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Other (Explain in Remarks) | | |
| Field Observations: | | | |
| Surface Water Present? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Depth (inches): _____ | Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Water Table Present? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | Depth (inches): _____ | |
| Saturation Present? (includes capillary fringe) | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Depth (inches): <u>10"</u> | |
| Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: | | | |
| Remarks: | | | |
| Wetland hydrology was present during our on-site investigation. | | | |

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 11019 Wilnot Road City/County: Pleasant Prairie, Kenosha Sampling Date: 08-10-2015

Applicant/Owner: Pinnacle Engineering Group State: Wisconsin Sampling Point: DP 4

Investigator(s): Robert Vanni Section, Township, Range: Sec 18, T1N, R 22E

Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): concave

Slope (%): 0-2 Lat: 42.545533 Long: -87.941582 Datum: _____

Soil Map Unit Name: Navan silt loam (Na) NWI or WWI classification: Yes

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | |
|--|--|
| Hydrophytic Vegetation Present? Yes _____ No <input checked="" type="checkbox"/> | Is the Sampled Area within a Wetland? Yes _____ No <input checked="" type="checkbox"/> |
| Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ | |
| Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/> | |

Remarks:

Data point was taken within the farming area.

VEGETATION – Use scientific names of plants.

| Tree Stratum (Plot size: _____) | Absolute % Cover | Dominant Species? | Indicator Status | Dominance Test worksheet: | |
|--|------------------|-------------------|------------------|---|--|
| 1. _____ | _____ | _____ | _____ | Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) | |
| 2. _____ | _____ | _____ | _____ | Total Number of Dominant Species Across All Strata: <u>1</u> (B) | |
| 3. _____ | _____ | _____ | _____ | Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B) | |
| 4. _____ | _____ | _____ | _____ | | |
| 5. _____ | _____ | _____ | _____ | | |
| _____ = Total Cover | | | | Prevalence Index worksheet: | |
| Sapling/Shrub Stratum (Plot size: _____) | | | | Total % Cover of: _____ Multiply by: _____ | |
| 1. _____ | _____ | _____ | _____ | OBL species <u>0</u> x 1 = <u>0</u> | |
| 2. _____ | _____ | _____ | _____ | FACW species <u>0</u> x 2 = <u>0</u> | |
| 3. _____ | _____ | _____ | _____ | FAC species <u>0</u> x 3 = <u>0</u> | |
| 4. _____ | _____ | _____ | _____ | FACU species <u>0</u> x 4 = <u>0</u> | |
| 5. _____ | _____ | _____ | _____ | UPL species <u>100</u> x 5 = <u>500</u> | |
| _____ = Total Cover | | | | Column Totals: <u>100</u> (A) <u>500</u> (B) | |
| | | | | Prevalence Index = B/A = <u>5.00</u> | |
| Herb Stratum (Plot size: _____) | | | | Hydrophytic Vegetation Indicators: | |
| 1. <u>Glycine max</u> | <u>100</u> | <u>Yes</u> | <u>UPL</u> | <input type="checkbox"/> Dominance Test is >50% | |
| 2. _____ | _____ | _____ | _____ | <input type="checkbox"/> Prevalence Index is ≤3.0 ¹ | |
| 3. _____ | _____ | _____ | _____ | <input type="checkbox"/> Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) | |
| 4. _____ | _____ | _____ | _____ | <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) | |
| 5. _____ | _____ | _____ | _____ | | |
| 6. _____ | _____ | _____ | _____ | | |
| 7. _____ | _____ | _____ | _____ | | |
| 8. _____ | _____ | _____ | _____ | | |
| 9. _____ | _____ | _____ | _____ | | |
| 10. _____ | _____ | _____ | _____ | | |
| _____ = Total Cover | | | | ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. | |
| Woody Vine Stratum (Plot size: _____) | | | | Hydrophytic Vegetation Present? Yes _____ No <input checked="" type="checkbox"/> | |
| 1. _____ | _____ | _____ | _____ | | |
| 2. _____ | _____ | _____ | _____ | | |
| _____ = Total Cover | | | | | |

Remarks: (Include photo numbers here or on a separate sheet.)

Data Point was taken within the farming area. Crop stress within the sample point was not noted.

SOIL

Sampling Point: DP 4

| Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.) | | | | | | | | |
|---|---------------|-----|----------------|----|-------------------|---------|---------|--|
| Depth (inches) | Matrix | | Redox Features | | | Texture | Remarks | |
| | Color (moist) | % | Color (moist) | % | Type ¹ | | | |
| 0-8" | 10 YR 2/1 | 100 | | | C | M | SIL | |
| 8-12" | 10 YR 2/1 | 95 | 10 YR 4/1 | 5 | C | M | SL | |
| 12-22" | 10 YR 4/2 | 90 | 7.5 YR 4/4 | 10 | C | M | SL | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

| | |
|--|---|
| Hydric Soil Indicators: <input type="checkbox"/> Histosol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input checked="" type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | Indicators for Problematic Hydric Soils³: <input type="checkbox"/> Sandy Gleyed Matrix (S4) <input checked="" type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8) <input type="checkbox"/> Coast Prairie Redox (A16) <input type="checkbox"/> Iron-Manganese Masses (F12) <input type="checkbox"/> Other (Explain in Remarks) |
|--|---|

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

| | |
|---|--|
| Restrictive Layer (if observed): Type: _____ Depth (inches): _____ | Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ |
|---|--|

Remarks:

Hydric soils were noted within the sample point.

HYDROLOGY

| | | |
|--|---|---|
| Wetland Hydrology Indicators: | | |
| Primary Indicators (minimum of one is required; check all that apply) <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Water-Stained Leaves (B9) <input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks) | Secondary Indicators (minimum of two required) <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> FAC-Neutral Test (D5) |
| Field Observations: Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): <u>>21"</u> (includes capillary fringe) | | Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/> |
| Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: | | |
| Remarks: Wetland hydrology was not present during our on-site investigation. | | |

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: 11019 Wilmot Road City/County: Pleasant Prairie, Kenosha Sampling Date: 08-10-2015

Applicant/Owner: Pinnacle Engineering Group State: Wisconsin Sampling Point: DP 5

Investigator(s): Robert Vanni Section, Township, Range: Sec 18, T1N, R 22E

Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): _____

Slope (%): 0-2 Lat: 42.544408 Long: -87.938873 Datum: _____

Soil Map Unit Name: Wet alluvial land (Ww) NWI or WWI classification: Yes

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____

Are Vegetation _____, Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

| | | | |
|---------------------------------|--|--|--|
| Hydrophytic Vegetation Present? | Yes <input checked="" type="checkbox"/> No _____ | Is the Sampled Area within a Wetland? | Yes <input checked="" type="checkbox"/> No _____ |
| Hydric Soil Present? | Yes <input checked="" type="checkbox"/> No _____ | | |
| Wetland Hydrology Present? | Yes <input checked="" type="checkbox"/> No _____ | | |

Remarks:

VEGETATION – Use scientific names of plants.

| Tree Stratum (Plot size: _____) | Absolute % Cover | Dominant Species? | Indicator Status | Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A) |
|--|------------------|-------------------|------------------|--|
| 1. <i>Acer saccharinum</i> | 20 | Yes | FACW | |
| 2. <i>Acer negundo</i> | 20 | Yes | FACW | |
| 3. _____ | _____ | _____ | _____ | Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B) |
| 4. _____ | _____ | _____ | _____ | |
| 5. _____ | _____ | _____ | _____ | Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ |
| 40 = Total Cover | | | | |
| Sapling/Shrub Stratum (Plot size: _____) | | | | |
| 1. _____ | _____ | _____ | _____ | OBL species _____ x 1 = _____ |
| 2. _____ | _____ | _____ | _____ | |
| 3. _____ | _____ | _____ | _____ | FAC species _____ x 3 = _____ |
| 4. _____ | _____ | _____ | _____ | |
| 5. _____ | _____ | _____ | _____ | UPL species _____ x 5 = _____ |
| _____ = Total Cover | | | | |
| Herb Stratum (Plot size: _____) | | | | |
| 1. <i>Phalaris arundinacea</i> | 40 | Yes | FACW | Prevalence Index = B/A = _____ |
| 2. <i>Setaria faberi</i> | 5 | No | FACU | |
| 3. <i>Senecio hieracifolius</i> | 5 | No | FACU | Hydrophytic Vegetation Indicators: <input checked="" type="checkbox"/> Dominance Test is >50% <input checked="" type="checkbox"/> Prevalence Index is ≤3.0 ¹ ____ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ____ Problematic Hydrophytic Vegetation ¹ (Explain) |
| 4. <i>Alliaria petiolata</i> | 10 | No | FAC | |
| 5. _____ | _____ | _____ | _____ | ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. |
| 6. _____ | _____ | _____ | _____ | |
| 7. _____ | _____ | _____ | _____ | Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No _____ |
| 8. _____ | _____ | _____ | _____ | |
| 9. _____ | _____ | _____ | _____ | _____ = Total Cover |
| 10. _____ | _____ | _____ | _____ | |
| Woody Vine Stratum (Plot size: _____) | | | | |
| 1. _____ | _____ | _____ | _____ | _____ = Total Cover |
| 2. _____ | _____ | _____ | _____ | |

Remarks: (Include photo numbers here or on a separate sheet.)
Data Point was taken within the flagged wetland area.

SOIL

Sampling Point: DP 5

| Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of Indicators.) | | | | | | | | | | |
|--|---------------|-----|----------------|----|-------------------|--|---------|---------------------------|---|--|
| Depth (inches) | Matrix | | Redox Features | | | | Texture | Remarks | | |
| | Color (moist) | % | Color (moist) | % | Type ¹ | Loc ² | | | | |
| 0-16" | 10 YR 2/1 | 100 | | | C | M | L | | | |
| 16-22" | 10 YR 2/1 | 65 | 10 YR 4/1 | 30 | C | M | L | traces of sand were noted | | |
| | | | 10 YR 5/6 | 5 | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| ¹ Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ² Location: PL=Pore Lining, M=Matrix. | | | | | | | | | | |
| Hydric Soil Indicators: <input type="checkbox"/> Histosol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input checked="" type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) | | | | | | Indicators for Problematic Hydric Soils³: <input type="checkbox"/> Sandy Gleyed Matrix (S4) <input checked="" type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8) | | | <input type="checkbox"/> Coast Prairie Redox (A16) <input type="checkbox"/> Iron-Manganese Masses (F12) <input type="checkbox"/> Other (Explain in Remarks) | |
| Restrictive Layer (if observed): Type: _____ Depth (inches): _____ | | | | | | Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ | | | ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic. | |
| Remarks: Hydric soils were noted within the sample point. | | | | | | | | | | |

HYDROLOGY

| Wetland Hydrology Indicators: | | | |
|---|---|--|--|
| Primary Indicators (minimum of one is required; check all that apply) | | Secondary Indicators (minimum of two required) | |
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Water-Stained Leaves (B9) | <input checked="" type="checkbox"/> Surface Soil Cracks (B6) | |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Fauna (B13) | <input type="checkbox"/> Drainage Patterns (B10) | |
| <input checked="" type="checkbox"/> Saturation (A3) | <input type="checkbox"/> True Aquatic Plants (B14) | <input type="checkbox"/> Dry-Season Water Table (C2) | |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) | <input checked="" type="checkbox"/> Crayfish Burrows (C8) | |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) | <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) | |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) | <input type="checkbox"/> Stunted or Stressed Plants (D1) | |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) | <input type="checkbox"/> Geomorphic Position (D2) | |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Thin Muck Surface (C7) | <input type="checkbox"/> FAC-Neutral Test (D5) | |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | <input type="checkbox"/> Gauge or Well Data (D9) | | |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) | <input type="checkbox"/> Other (Explain in Remarks) | | |
| Field Observations: Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes <input checked="" type="checkbox"/> No _____ Depth (inches): 4" | | Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____ | |
| Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: | | | |
| Remarks: Wetland hydrology was present during our on-site investigation. | | | |

APPENDIX D

Photographs



ATV path located on the South portion of the farming area adjacent to the flagged Des Plaines River ecosystem.



Agricultural field facing North along the East property line.



Agricultural field facing west along the NE property corner.



A panoramic photograph of the farming area facing West.



The west and south property line contains the Des Plaines River ecosystem.



The Des Plaines River meanders on and off the property. A wetland & riparian area can be found adjacent to the flowing river. Flood plain and flood way is found within the flagged boundaries.



Hydric soils, saturation/inundation and hydrophytic vegetation is noted through out the flagged area.



Data point 1 confirms a wetland condition



Data point 3 confirms a wetland condition



Data point 5 confirms a wetland condition

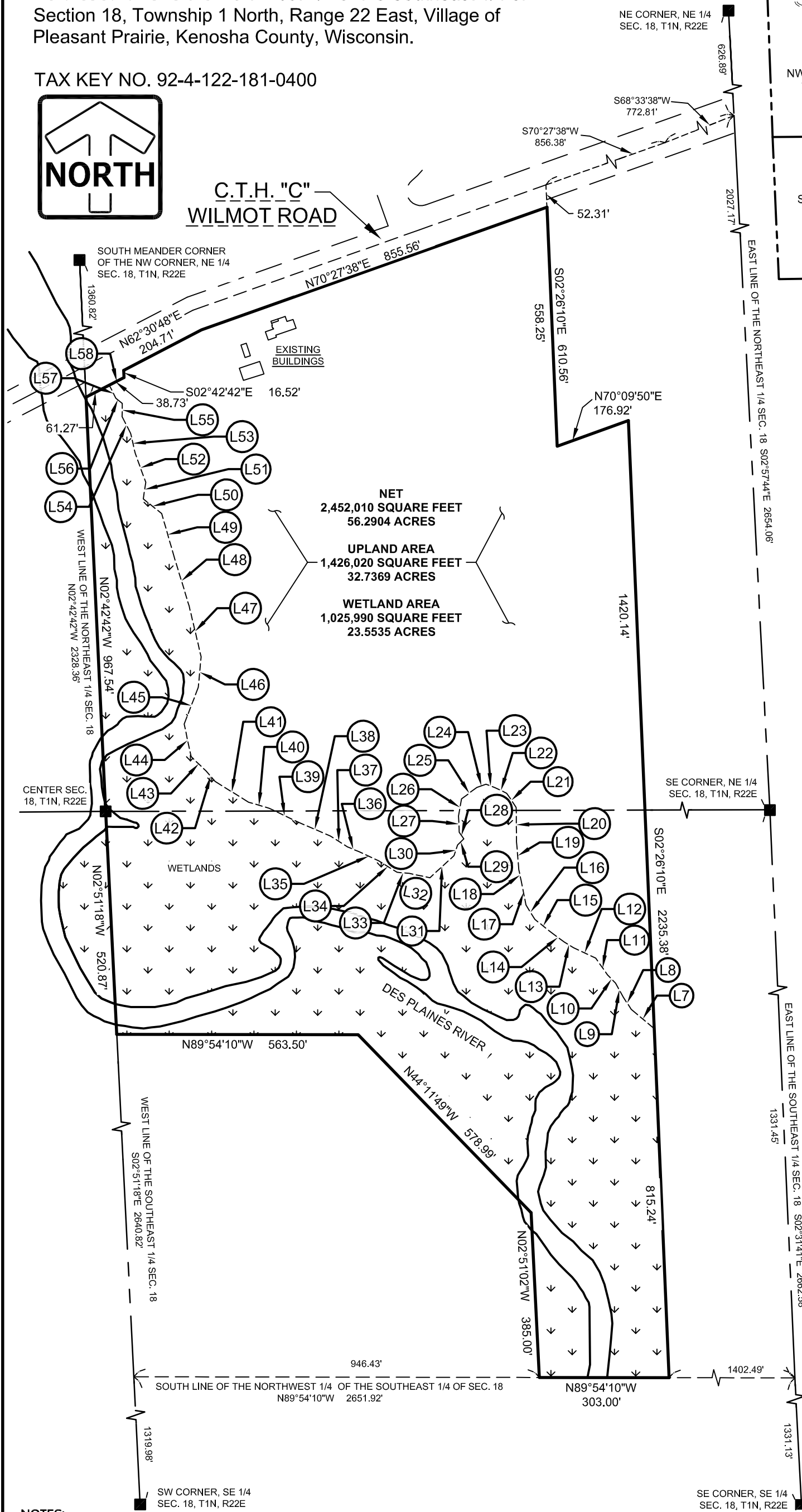
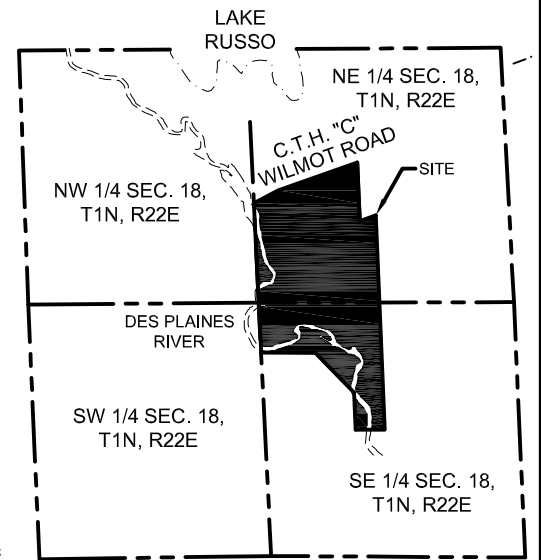
LEGAL DESCRIPTION:

Part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 18, Township 1 North, Range 22 East, Village of Pleasant Prairie, Kenosha County, Wisconsin.

TAX KEY NO. 92-4-122-181-0400



**VICINITY SKETCH
SCALE 1"=2000'**

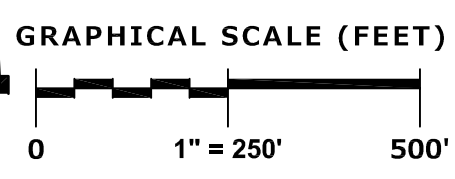


NET
2,452,010 SQUARE FEET
56.2904 ACRES

UPLAND AREA
1,426,020 SQUARE FEET
32.7369 ACRES

WETLAND AREA
1,025,990 SQUARE FEET
23.5535 ACRES

| LINE TABLE | | |
|------------|-------------|----------|
| LINE NO. | BEARING | DISTANCE |
| L7 | N49°58'55"W | 70.07' |
| L8 | N33°30'59"W | 34.20' |
| L9 | N28°33'03"W | 37.13' |
| L10 | N44°11'01"W | 26.85' |
| L11 | N35°23'22"W | 47.81' |
| L12 | N64°48'15"W | 56.99' |
| L13 | N58°49'17"W | 25.46' |
| L14 | N53°26'40"W | 37.32' |
| L15 | N51°23'44"W | 49.16' |
| L16 | N31°46'41"W | 39.87' |
| L17 | N11°15'44"W | 58.36' |
| L18 | N11°46'57"W | 25.41' |
| L19 | N04°47'03"W | 64.97' |
| L20 | N00°34'00"W | 80.78' |
| L21 | N33°56'17"W | 39.69' |
| L22 | N64°14'11"W | 29.51' |
| L23 | N69°05'44"W | 23.45' |
| L24 | S70°31'04"W | 22.46' |
| L25 | S52°59'16"W | 44.79' |
| L26 | S09°48'27"W | 40.62' |
| L27 | S02°23'14"E | 37.57' |
| L28 | S34°48'51"E | 18.86' |
| L29 | S45°25'12"W | 20.45' |
| L30 | S18°18'06"W | 26.22' |
| L31 | S47°36'36"W | 76.57' |
| L32 | N78°00'32"W | 49.26' |
| L33 | N85°04'27"W | 28.53' |
| L34 | N57°54'24"W | 50.72' |
| L35 | N65°04'03"W | 51.35' |
| L36 | N67°41'33"W | 28.10' |
| L37 | N57°43'28"W | 48.26' |
| L38 | N66°47'33"W | 77.21' |
| L39 | N64°23'51"W | 78.47' |
| L40 | N73°35'07"W | 50.41' |
| L41 | N58°13'56"W | 91.98' |
| L42 | N40°37'14"W | 32.07' |
| L43 | N46°18'42"W | 48.71' |
| L44 | N11°56'39"W | 77.53' |
| L45 | N21°03'16"E | 91.93' |
| L46 | N05°10'46"E | 71.54' |
| L47 | N13°17'46"W | 121.47' |
| L48 | N16°57'28"W | 122.93' |
| L49 | N15°58'13"W | 102.39' |
| L50 | N51°30'18"W | 54.99' |
| L51 | N08°35'08"E | 39.21' |
| L52 | N20°10'36"W | 71.69' |
| L53 | N12°41'20"W | 47.86' |
| L54 | N27°08'13"W | 43.96' |
| L55 | N00°50'50"E | 31.11' |
| L56 | N51°08'18"W | 19.18' |
| L57 | N26°50'43"W | 34.12' |
| L58 | N62°30'48"E | 100.00' |



NOTES:

- Wetlands delineated by Midwest Ecological, Inc. August 2015.
- Location of the DES PLAINES RIVER per the Kenosha County Interactive Mapping System.

WETLAND MAP

09/15/2015

PINNACLE ENGINEERING GROUP
15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

WWW.PINNACLE-ENGR.COM PEG

PLAN | DESIGN | DELIVER
PEG JOB#517.00

VILLAGE STAFF REPORT OF DECEMBER 14, 2015

- F. Consider approval of two (2) **Certified Survey Maps** for the request of Martin Hanley, agent for the owner Prairie Place LLC to subdivide the property generally located at the northwest corner of 39th Avenue and Springbrook Court and the property located west of Springbrook Road and north of 101st Street and create two parcels to be dedicated to the Village for park purposes as part of the Village Green Center development. **(TO BE TABLED UNTIL THE JANUARY 25, 2016 PLAN COMMISSION MEETING)**
- G. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT:** for the request of Martin Hanley, agent for the owner Prairie Place LLC to rezone a portion of the property generally located at the northwest corner of 39th Avenue and Springbrook Court and a portion of the property generally located west of Springbrook Road and north of 101st Street from the A-2, General Agricultural District to the PR-1, Neighborhood Park-Recreation District. These two areas are proposed to be dedicated to the Village for park purposes as part of the Village Green Center development. **(TO BE TABLED UNTIL THE JANUARY 25, 2016 PLAN COMMISSION MEETING)**

- H. Consider the request of Kurt Davidsen, Village Assistant Engineer for approval of a **Lot Line Adjustment** to add 2,682 square feet from the property located at 2517 91st Street, owned by Jeffery Wiegert, to the Village's parkland property to the south. The area being added to the Village's parkland property is an existing drainage easement located on Mr. Wiegert's property.

Recommendation:

Village staff recommends that the Village Plan Commission send a favorable recommendation to the Village Board to approve the **Lot Line Adjustment** subject to the comments and conditions of the December 14, 2015 Village Staff Report.

VILLAGE STAFF REPORT OF DECEMBER 14, 2015

Consider the request of Kurt Davidsen, Village Assistant Engineer for approval of a **Lot Line Adjustment** to add 2,682 square feet from the property located at 2517 91st Street, owned by Jeffery Wiegert, to the Village's parkland property to the south. The area being added to the Village's parkland property is an existing drainage easement located on Mr. Wiegert's property.

The owner of the property located at 2517 81st Street (Tax Parcel Number 91-4-122-134-0450), Jeffery Wiegert, has requested that the existing dedicated storm water easement located in the rear of his property, adjacent to Brookside Gardens park owned by the Village (Tax Parcel Number 91-4-122-134-134-0046), be transferred to Village ownership.

The storm water easement was created in 2011 as part of the South Kenosha Area Drainage Swale project to realign the existing drainage ditch and install riprap at the 26th Avenue culvert. Mr. Wiegert initially requested to install a fence within the easement to prevent children playing in the park from entering his property to play in the drainage ditch. He is concerned that a child could become injured on his property in the riprap and that because it is on his land he would be legally responsible. A fence cannot be installed across the drainage ditch because it would restrict flow so he asked that the Village of Pleasant Prairie take ownership of the easement area.

Specifically, 2,682 square feet from the property located at 2517 91st Street, owned by Jeffery Wiegert, to the vacant Village property to the south. The Lot Line Adjustment and will comply with the requirements set forth in the Village Zoning Ordinance and Land Division and Development Control Ordinance.

The Village staff recommends approval of the Lot Line Adjustment subject to the petitioner recording the proper transfer documents with the Plat of Survey for the Lot Line Adjustment as an Exhibit with the Kenosha County Register of Deeds Office within 30 days of final Village approval.

Nov 30, 2015

Jeffery Wiegert @ 2517 91st Street requested that the storm water easement located in the rear of his property, adjacent to Brookside Gardens park owned by the Village, be transferred to Village ownership. The storm water easement was created in 2011 as part of the South Kenosha Area Drainage Swale project to realign the existing drainage ditch and install riprap at the 26th Avenue culvert. Mr. Wiegert initially requested to install a fence within the easement to prevent children playing in the park from entering his property to play in the drainage ditch. He is concerned that a child could become injured on his property in the riprap and that because it is on his land he would be legally responsible. A fence cannot be installed across the drainage ditch because it would restrict flow so he asked that the Village of Pleasant Prairie take ownership of the easement area.

Thanks,

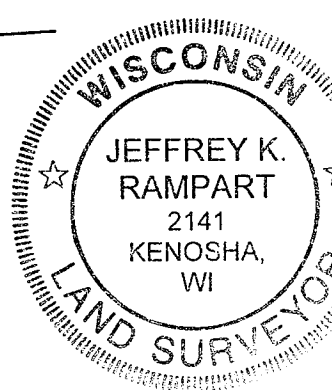
Kurt R. Davidsen, P.E.

Assistant Village Engineer | Village of Pleasant Prairie
P: (262) 925-6728 | F: (262) 694-4734
9915 39th Avenue, Pleasant Prairie, WI 53158
kdavidsen@plprairiewi.com | <http://www.pleasantprairieonline.com>

J.K.R. SURVEYING, INC.
8121 22ND AVENUE
KENOSHA, WI 53143

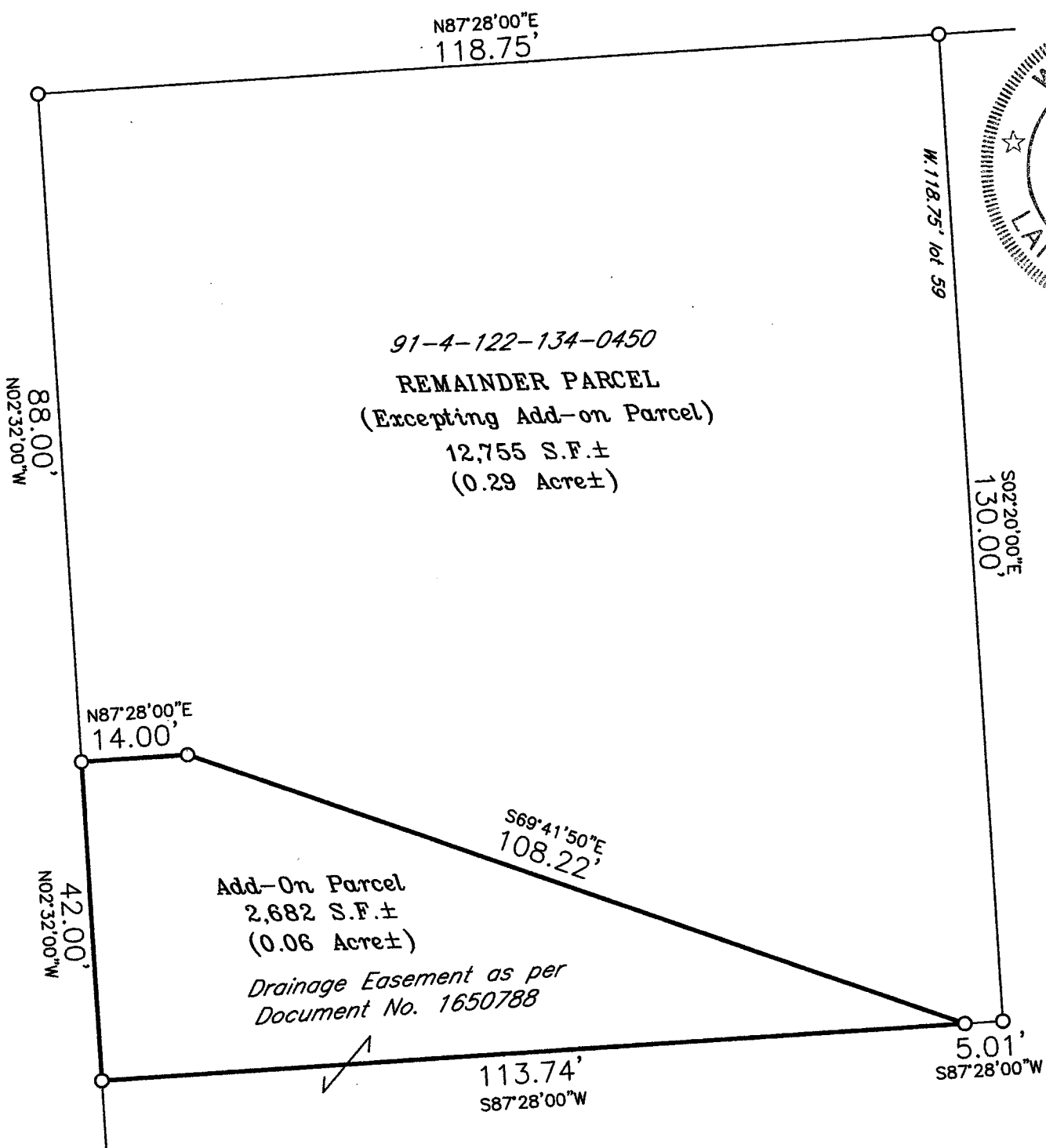
91st (66' r/w) Street

I hereby certify that this property was surveyed under my direction and this plat is a true representation thereof.



Reg. Land Surveyor
November 17, 2015

26th (50' r/w) Avenue



91-4-122-134-0450
REMAINDER PARCEL
(Excepting Add-on Parcel)
12,755 S.F. ±
(0.29 Acre ±)

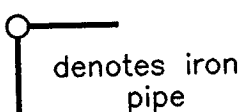
Add-On Parcel
2,682 S.F. ±
(0.06 Acre ±)

Drainage Easement as per
Document No. 1650788

Lot 58 Brookside Gardens
part of: 91-4-122-134-0446

Lot 1 C.S.M. No. 2400

Scale
1" = 20'



denotes iron pipe

Refer to a current title report for easements and/or restrictions which may affect these sites.

tax key nos.: 91-4-122-134-0450
& 91-4-122-134-0446

address: 2517 - 91st Street

The Plat of Survey for Lot Line Adjustment is hereby approved by the Village Board of The Village of Pleasant Prairie on the _____ day of _____, 2015.

PLAN COMMISSION CHAIR, Thomas W. Terwall

VILLAGE CLERK, Jane M. Romanowski

VILLAGE PRESIDENT, John P. Steinbrink

Plat of Survey for Lot Line Adjustment Between Tax Key Nos.: 91-4-122-134-0450 & -0446

PART OF LOT 59 IN BROOKSIDE GARDENS

in SE1/4 Section 13-1-22

VILLAGE OF PLEASANT PRAIRIE KENOSHA COUNTY, WIS.

-for- Village of Pleasant Prairie

LEGAL DESCRIPTION OF PARCEL TO BE DETACHED FROM TAX KEY NO: 91-4-122-134-0450 (Part of Lot 59 in Brookside Gardens, a plat of record) AND ADD-ON PARCEL TO PART OF TAX KEY NO: 91-4-122-134-0446 (Lot 58 in Brookside Gardens, a plat of record): Part of the Southeast Quarter of Section 13, Town 1 North, Range 22 East of the Fourth Principal Meridian; lying and being in the Village of Pleasant Prairie, Kenosha County, Wisconsin and being more particularly described as:

Beginning at the southwest corner of said Lot 59; which is also the northwest corner of said Lot 58; thence N02°32'00"W along the west line of said Lot 59, 42.00 feet; thence N87°28'00"E 14.00 feet; thence S69°41'50"E 108.22 feet to a point on the south line of said Lot 59; which is also the north line of said Lot 58; thence S87°28'00"W along said line 113.74 feet to the southwest corner of said Lot 59; which is also the northwest corner of aforesaid Lot 58 and the point of beginning; containing 2,682 square feet, 0.06 acre, more or less.

**VILLAGE OF PLEASANT PRAIRIE PLAN COMMISSION
RESOLUTION #15-20**

RESOLUTION TO INITIATE A COMPREHENSIVE PLAN AMENDMENT

WHEREAS, two vacant properties within Carol Beach Estates Unit #6 Subdivision (Lot 17 of Block 5 identified as Tax Parcel Number 93-4-123-184-1210 owned by Carlo and Laretta Coduti and Lot 13 of Block 5 identified as Tax Parcel Number 93-4-123-184-1190 owned by Christine Erickson have recently had wetland staking's completed by a biologist and both properties were determined that they were not classified as wetlands (See **Exhibit 1**); and

WHEREAS, on Lot 17 of Block 5 of Carol Beach Estates Unit #6 TRC Environmental Corporation completed a wetland staking on August 31, 2015 and determined that there were no wetlands on the property [Note: TRC Environmental Corporation is a 2015 Wisconsin DNR Assured Biologist] (See **Exhibit 2**), and

WHEREAS, on Lot 13 of Block 5 of Carol Beach Estates Unit #6 the Wisconsin DNR on a October 13, 2015 site visit verified that there were no wetlands on the property (See **Exhibit 3**), and

WHEREAS, in accordance with the Village of Pleasant Prairie 2035 Comprehensive Plan, upon completion of a wetland staking the 2035 Land Use Plan Map 9.9 shall be amended to reflect the aforementioned wetland stakings; and

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

1. That the Village Plan Commission hereby initiates and petitions to amend the 2035 Land Use Plan Map 9.9 and the Official Zoning Map, as it relates to the wetland stakings completed on said properties.
2. That the proposed amendments are hereby referred to the Village staff for further study and recommendation.
3. That the public participation plan for this amendment, as initiated by the Village, will constitute the required 30 day public notice and the required public hearing pursuant to Chapter 390 of the Village Municipal Code entitled, "Comprehensive Plan".

Adopted this 14th day of December 2015.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

Michael J. Serpe
Vice Chairman

Thomas W. Terwall
Plan Commission Chairman

Date Posted: _____

20-Comp Plan Amendments--Initiate-CBUnit 6
ENRV1510-001
ENVR1512-001
CODE1512-001

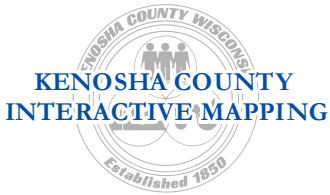


Exhibit 1



1 inch = 100 feet
Date Printed: 12/1/2015

subject properties



DISCLAIMER This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

RECEIVED

SEP 23 2015

PLEASANT PRAIRIE

*Results you can rely on*150 North Patrick Blvd
Brookfield, WI 53045Office: (262) 879-1212
Fax: (262) 879-1220
www.TRCSolutions.com

September 18, 2015

Mr. Drew Coduti
PO Box 12902
Albuquerque, NM 87195RE: **Wetland Assessment Services**
Lot # 93-4-123-184-1210, 93rd Street, Pleasant Prairie, Kenosha County, WI
Project Number: 242113

Dear Mr. Coduti:

TRC Environmental Corporation (TRC) conducted a wetland assessment within Lot # 93-4-123-184-1210 (hereafter referred to as Study Area), 93rd Street, Pleasant Prairie, Kenosha County, WI (Figure 1, Appendix A). The Study Area was approximately 0.19 acre in size. It is located in the southwest $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 18, Township 1 North, Range 23 East in Pleasant Prairie, Kenosha County, WI.

The wetland assessment field investigation was conducted by TRC scientists Lesley Brotkowski and Kara Kikkert on August 31, 2015. No wetlands were found within the Study Area.

1.0 METHODS

1.1 Off-Site Review

Prior to conducting fieldwork, TRC scientist Lesley Brotkowski reviewed several maps including the United States Geological Survey (USGS) 7.5' Quadrangle maps, Wisconsin Wetland Inventory Map, Natural Resource Conservation Service (NRCS) Soil Survey Map, and aerial photographs. These sources were used to identify areas which could likely to contain potential wetlands.

1.2 On-Site Field Investigation

Areas having wetland field indicators within the Study Area were evaluated in the field by TRC wetland scientists Lesley Brotkowski and Kara Kikkert on August 31, 2015. One sample point was located in the center of the Study Area. Data were collected to document the vegetation, soil profile, and wetland hydrology indicators.

September 18, 2015

2.0 RESULTS

2.1 Off-Site Review

The USGS topographic map (Appendix A, Figure 1) showed elevations ranging from 615 to 620 feet above sea level. The Wisconsin Wetland Inventory (WWI) map (Appendix A, Figure 2) depicted one mapped wetland within the Study Area. This wetland is classified as S3K (Scrub/shrub; Broad-leaved deciduous; Wet soil, palustrine). According to the NRCS Soil Survey map (Appendix A, Figure 3) Boyer loamy sand (BmB), a non-hydric soil, and Aztalan loam (AzA), a partially hydric soil, are located within the Study Area. A review of the aerial photography (Appendix A, Figure 4) reveals the Study Area is comprised of a forested area.

2.2 On-Site Field Investigation

The Study Area is located along the north side of 93rd Street, Pleasant Prairie, Kenosha County, WI and is comprised of mixed hardwood forest habitat (Appendix B, Site Photographs). No wetland habitat was observed within the Study Area.

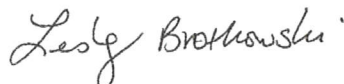
One data point, DP-1, was taken in the Study Area (Appendix C, Wetland Delineation Data Form) in the area mapped to contain S3K wetland. Dominant vegetation consisted of *Prunus serotina* (black cherry), *Lonicera x bella* (honeysuckle), *Circaea canadensis* (enchanter's nightshade), and *Vitis riparia* (riverbank grape). No hydrology indicators were observed and soils did not display characteristics of hydric soil. This area exhibited characteristics of an upland hardwood forest; no evidence of wetland habitat was observed.

3.0 CONCLUSIONS

Based on the wetland assessment completed by TRC, no wetland habitat was observed within the Study Area.

If you have any questions please feel free to contact me (402) 238-7789 or by e-mail at lbrotkowski@trcsolutions.com.

Sincerely,

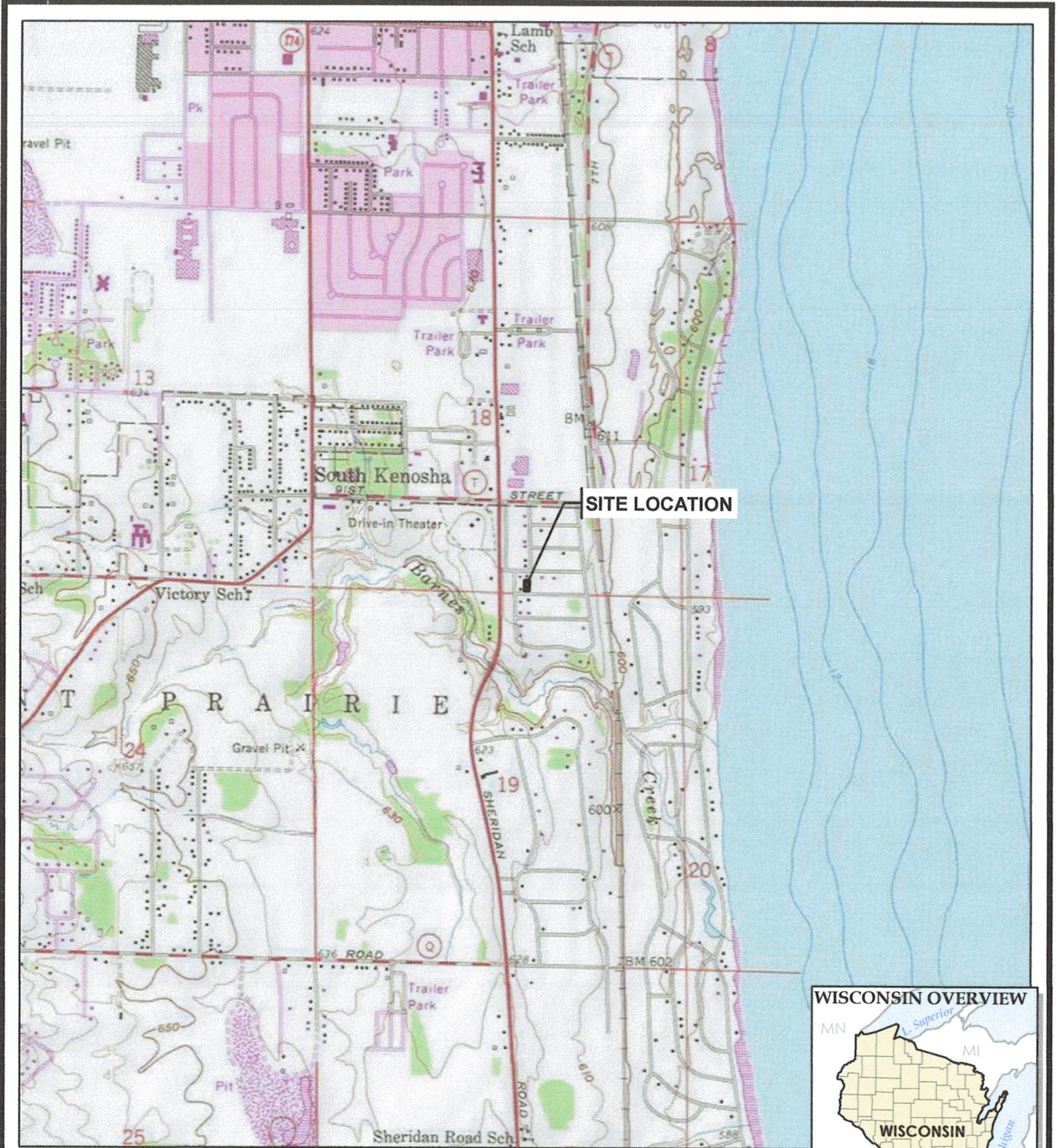


Lesley Brotkowski
Senior Ecologist, WDNR Assured Wetland Delineator

Attachments: Appendix A: Figures
Appendix B: Site Photographs
Appendix C: Wetland Delineation Data Form

September 18, 2015

**APPENDIX A:
FIGURES**



BASE MAP FROM USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE SERIES.



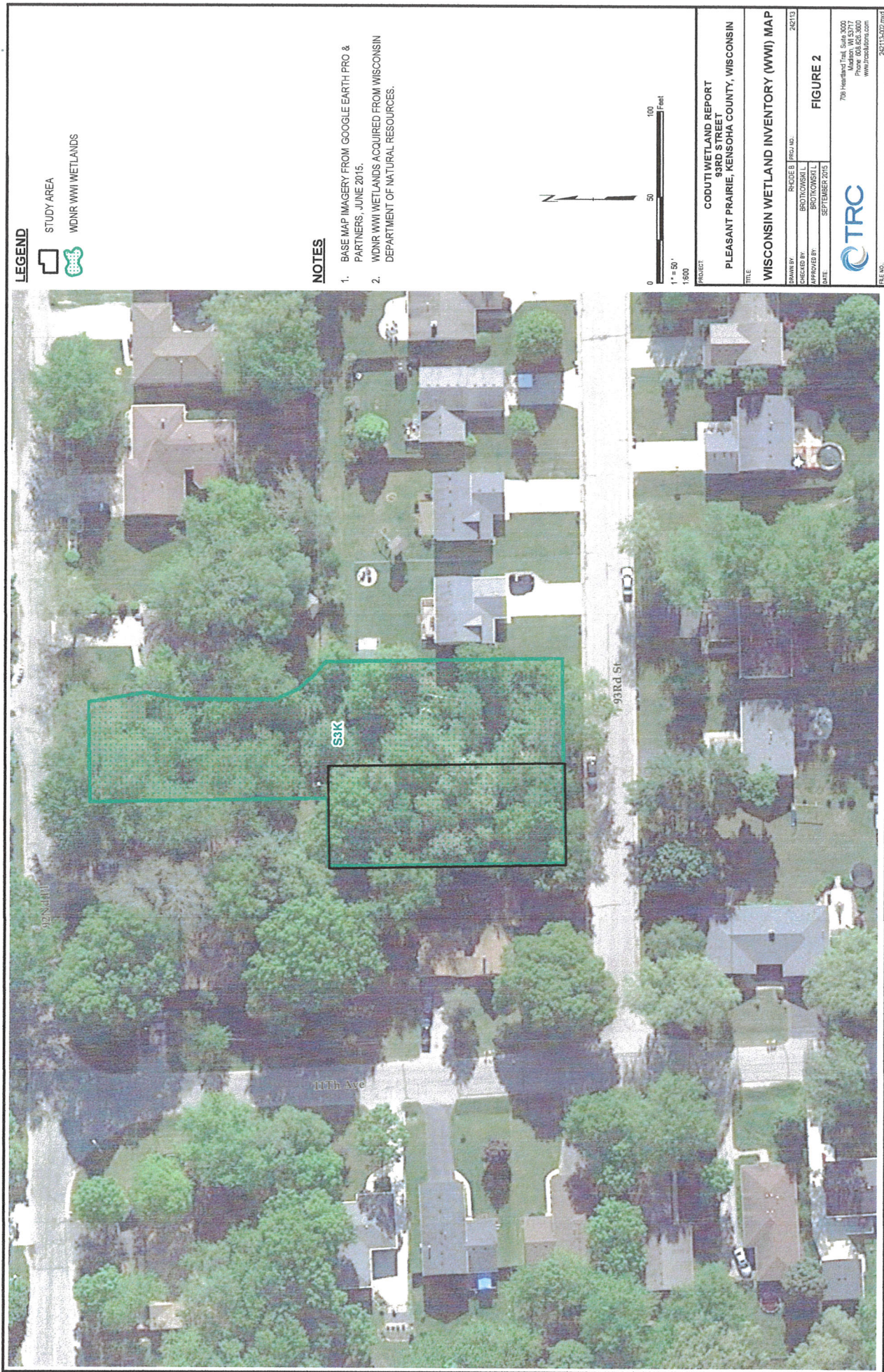
708 Heartland Trail
Suite 3000
Madison, WI 53717
Phone: 608.826.3600

TRC - GIS

| | |
|----------|--|
| PROJECT: | CODUTI WETLAND REPORT 93RD STREET PLEASANT PRAIRIE, KENSOHA COUNTY, WISCONSIN |
| TITLE: | USGS TOPOGRAPHIC MAP |

| | |
|--------------|-------------------|
| DRAWN BY: | RHODE B |
| CHECKED BY: | BROTKOWSKI L |
| APPROVED BY: | BROTKOWSKI L |
| DATE: | SEPTEMBER 2015 |
| PROJ. NO.: | 242113 |
| FILE: | 242113-001slm.mxd |

FIGURE 1




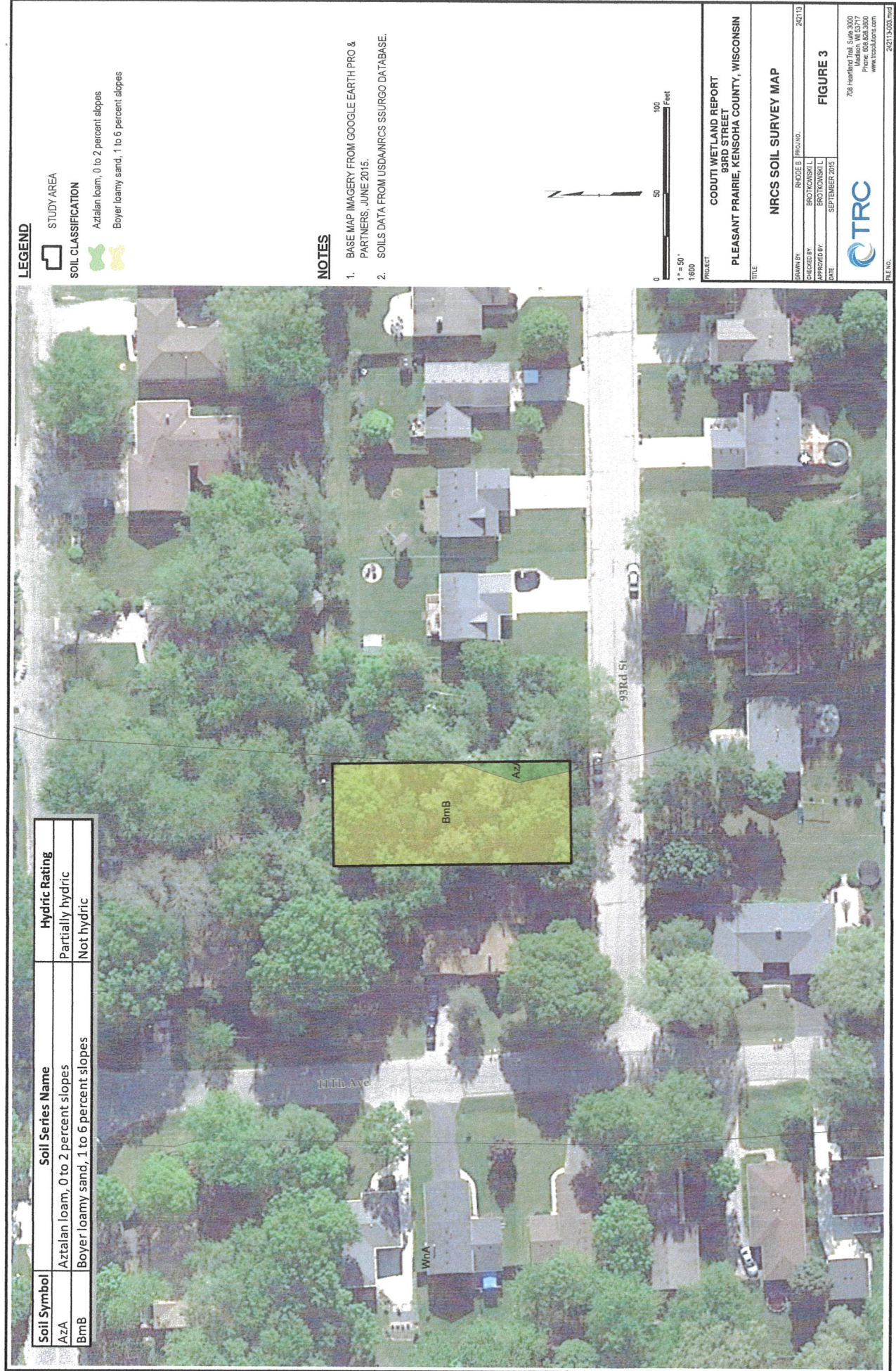
LEGEND

-  STUDY AREA
-  WDNR WWI WETLANDS

NOTES

1. BASE MAP IMAGERY FROM GOOGLE EARTH PRO & PARTNERS, JUNE 2015.
2. WDNR WWI WETLANDS ACQUIRED FROM WISCONSIN DEPARTMENT OF NATURAL RESOURCES.

| | |
|--|----------------|
| PROJECT | |
| CODUTI WETLAND REPORT 93RD STREET PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN | |
| TITLE | |
| WISCONSIN WETLAND INVENTORY (WWI) MAP | |
| DRAWN BY | PROJECT NO. |
| DESIGNED BY | 242113 |
| APPROVED BY | 8/20/2015 |
| DATE | SEPTEMBER 2015 |
| FIGURE 2 | |
|  | |
| 750 Howard Trail, Suite 3000 Madison, WI 53717 Phone: 608.261.1100 www.trcinc.com | |
| FILE NO. 242113-02.mxd | |



LEGEND

-  STUDY AREA
- SOIL CLASSIFICATION**
-  Aztalan loam, 0 to 2 percent slopes
-  Boyer loamy sand, 1 to 6 percent slopes

NOTES

1. BASE MAP IMAGERY FROM GOOGLE EARTH PRO & PARTNERS, JUNE 2015.
2. SOILS DATA FROM USDMNRCS SSGURGO DATABASE.



| Soil Symbol | Soil Series Name | Hydric Rating |
|-------------|---|------------------|
| AzA | Aztalan loam, 0 to 2 percent slopes | Partially hydric |
| BmB | Boyer loamy sand, 1 to 6 percent slopes | Not hydric |

PROJECT
CODUTI WETLAND REPORT
93RD STREET
PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN


TITLE
NRCS SOIL SURVEY MAP

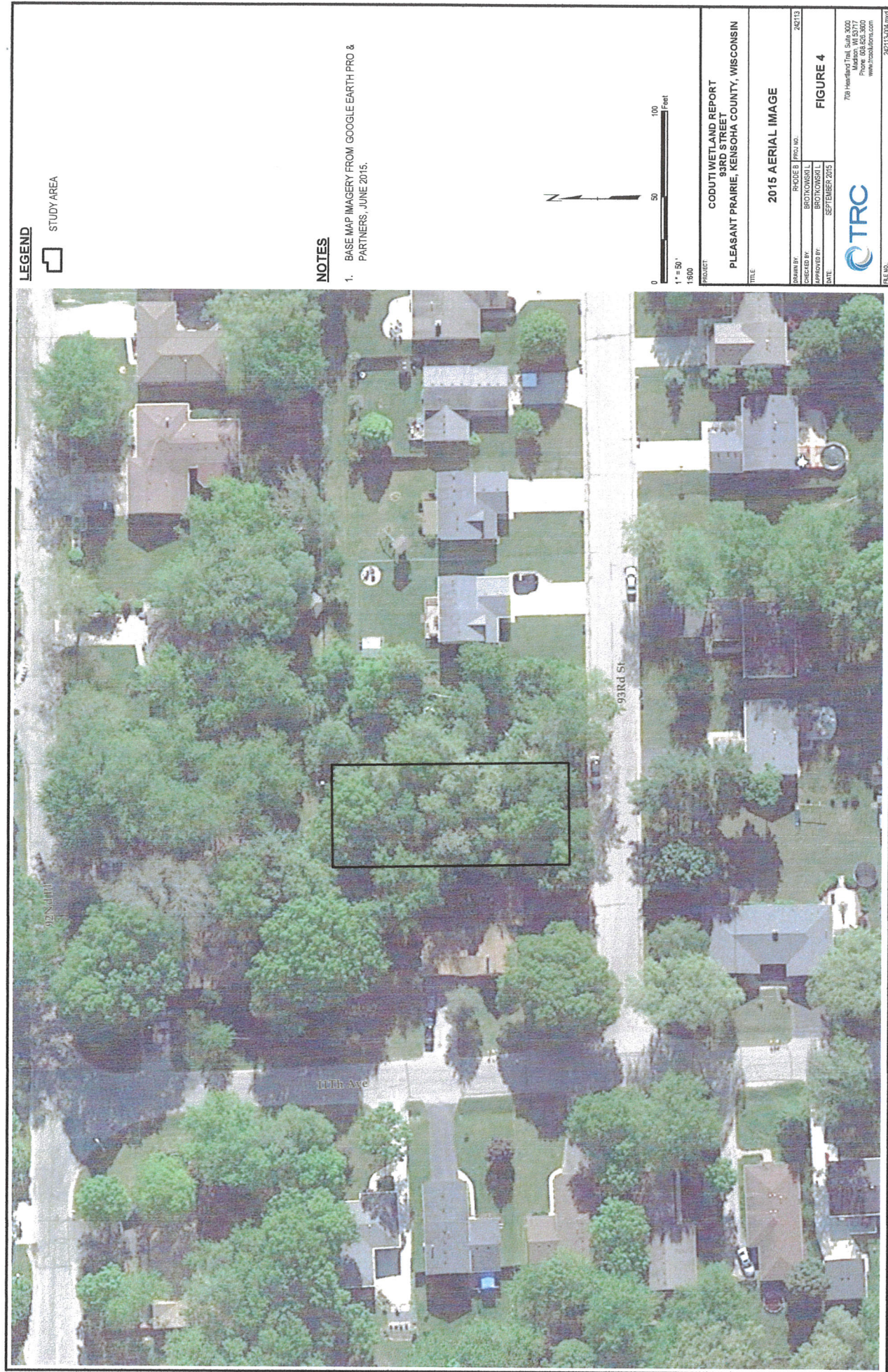
DRAWN BY: BRUCE B. PRODUK
 CHECKED BY: BRUCE B. PRODUK
 APPROVED BY: BRUCE B. PRODUK
 DATE: SEPTEMBER 2015

FILE NO.: 242113

FIGURE 3

708 Highland Trail, Suite 3000
 Madison, WI 53717
 Tel: 608.261.1300
 www.trcsoil.com





LEGEND

STUDY AREA

NOTES

1. BASE MAP IMAGERY FROM GOOGLE EARTH PRO & PARTNERS, JUNE 2015.



0 50 100 Feet

1" = 50'
1:500

| | |
|--|-------------------------|
| PROJECT | |
| CODUTI WETLAND REPORT 93RD STREET PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN | |
| TITLE | |
| 2015 AERIAL IMAGE | |
| DRAWN BY | PHOTO B [PAC] NO. 20113 |
| DESIGNED BY | BRUCE WOODS |
| APPROVED BY | BRUCE WOODS |
| DATE | SEPTEMBER 2015 |
| FIGURE 4 | |
| 700 Highland Trail, Suite 3000 Madison, WI 53717 Phone: 608.261.1100 www.trcinc.com | |
| TRC | |
| FILE NO. 242113-004.mxd | |

September 18, 2015

**APPENDIX B:
SITE PHOTOGRAPHS**

Photo 1:

Upland hardwood forest habitat within the Study Area, facing north.



Photo 2:

DP-1 within the Study Area, facing south.



September 18, 2015

**APPENDIX C:
WETLAND DELINEATION DATA FORM**

SOIL

Sampling Point: DP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

| Depth (Inches) | Matrix | | Redox Features | | | | Texture | Remarks |
|----------------|---------------|-----|----------------|----|-------|-------|------------|---------|
| | Color (moist) | % | Color (moist) | % | Type* | Loc** | | |
| 0 - 3 | 10 YR 2/1 | 100 | | | | | Loamy sand | |
| 3 - 10 | 10 YR 4/3 | 100 | | | | | Loamy sand | |
| 10 - 24 | 10 YR 4/3 | 85 | 10 YR 4/6 | 15 | C | M | Loamy sand | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- Histisol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- 2 cm Muck (A10)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- 5 cm Mucky Peat or Peat (S3)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- Coast Prairie Redox (A16) (LRR K, L, R)
- Dark Surface (S7) (LRR K, L)
- Iron-manganese masses (F12) (LRR K, L, R)
- Very Shallow Dark Surface (TF12)
- Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric soil present? N

Remarks:

The criterion for hydric soil is not met. Several soil probes were taken throughout the Study Area and none produced hydric soil.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9)

Secondary Indicators (minimum of two required)

- Aquatic Fauna (B13)
- True Aquatic Plants (B14)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres on Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Thin Muck Surface (C7)
- Gauge or Well Data (D9)
- Other (Explain in Remarks)
- Surface Soil Cracks (B6)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Crayfish Burrows (C8)
- Saturation Visible on Aerial Imagery (C9)
- Stunted or Stressed Plants (D1)
- Geomorphic Position (D2)
- FAC-Neutral Test (D5)

Field Observations:

Surface water present? Yes No Depth (inches): _____
 Water table present? Yes No Depth (inches): _____
 Saturation present? Yes No Depth (inches): _____
 (includes capillary fringe)

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

USGS Topo maps, aerial photos, NRCS soils maps

Remarks:

The criterion for wetland hydrology is not met.



January 30, 2015

Leslie Brotkowski
TRC
150 North Patrick Boulevard
Brookfield, WI 53045

Subject: Assured Wetland Delineator 2015 Concurrence

Dear Ms. Brotkowski:

This letter is your concurrence for wetland delineations conducted in calendar year 2015. We have randomly selected three wetland delineation reports from those you submitted during calendar year 2014. A panel reviewed those delineation reports and we are pleased to inform you that your work continues to meet the standards for the Wetland Delineation Professional Assurance Program.

You and your clients will not need to wait for the department to review your wetland delineations before moving forward with project planning. This will help expedite the review process for WDNR's wetland regulatory program. Your name and contact information will continue to be listed on our website at: <http://dnr.wi.gov/topic/wetlands/assurance.html>.

In the instance where a municipality may require a letter of concurrence for your work prior to moving forward in the local regulatory process, this letter shall serve as that concurrence.

Code of Ethics

Being an assured wetland delineator requires a high level of moral integrity and technical competencies. An assured wetland delineator that is no longer fulfilling the moral and ethical standards of the program will be subject to removal. The following are examples of activities that are in violation of the assured program's moral and ethical standards:

- Knowingly taking part in an activity that results in the violation of state or federal wetland or waterway regulations.
- Knowingly falsifying or misrepresenting a wetland boundary.
- Signing your name to a non-assured delineator's work.
- Failing to submit all delineation reports to the wetland assurance program.
- Repeatedly failing to apply standard wetland delineation protocols.
- Failing to keep abreast of the current state of the science, including techniques, methods, and reporting protocols.

In the event that an assured delineator is found to be in violation of the program's moral and ethical standards, they will be notified and allowed a chance to discuss the issue. In the event that a delineator's assured status is revoked, they will be reclassified as conditionally assured, and will need to reapply to the program to regain their previous status.

Continuing Education Requirements

Being an assured delineator requires a high level of technical knowledge related to the science of wetland delineation. For that reason, the program requires assured delineators to accumulate three Continuing Education Credits every three years. The credits need to be gained from activities related to wetland science, such as hydric soils, wetland hydrology, plant identification, wetland delineation, wetland restoration, wetland permitting, or other wetland related topics.

Continuing education units (CEU's) shall be awarded at the following rate, for the following activities:

- College Courses: 1 College Credit = 1CEU
- Workshops: 0.1 CEU's per hour (eg. 16 hours = 1.6 CEU's)
 - This includes hydric soil, plant identification, wetland delineation, and other similar workshops.
- Presenting or Teaching: 0.2 CEU's per item (leading a group workshop or presenting at a professional meeting = 0.2 CEU's)
- Attending Professional Meetings: 8 hour meeting = 0.25 CEU's.
 - Total accumulation from this category cannot exceed 1 CEU over a three year period.
 - Examples of relevant meetings include, but are not limited to, annual conferences such as those held by the Society of Wetland Scientists or the Wisconsin Wetlands Association.

Using 2012 as a starting point, **we have records of you completing 4.9 continuing education credits.** Please let us know if this record is incorrect by sending us any pertinent certificates or records. **You have accumulated all required continuing education credits** for the January 1, 2012 through January 1, 2015 time period.

Program Considerations

As an assured wetland delineator, there are a few important general considerations to keep in mind:

- Please submit all delineations throughout the year as they are completed. This is especially important as it relates to required, annual field reviews of an assured delineator's work. Submit any late season delineations no later than January 15, 2016. Failure to submit wetland delineation reports before January 15 may result in suspension from this program.
- You must complete and submit at least three delineation reports each year to maintain your assured status.
- You must submit documentation of continuing education on an annual basis. Please submit this information by January 15, 2016. Applicable continuing education includes wetland delineation, vegetation, soils, hydrology, restoration, regulation, ecology or management coursework, as well as wetland conferences or other events. The advanced wetland delineation course offered by UW-LaCrosse or an equivalent course is required every 6 years.
- As an assured delineator, you may not conduct wetland delineations as a non-assured delineator.

General Delineation Considerations

In our review of all assured wetland delineation reports we noted some data-reporting issues that we would like all assured delineators to address:

- If delineations are done very early or very late in the growing season, explain why conditions are suitable, particularly in relation to vegetation identification, or conduct a follow-up visit to verify dominance determinations and wetland boundaries.
- Refer to the *normal range* from the WETS table when determining antecedent hydrologic conditions. Do not compare rainfall data to the *average* values. Clearly state whether the antecedent conditions were normal, abnormally wet, or abnormally dry. The NRCS weighted month method is a simple way to make

this determination, and additional data such as USGS Waterwatch or the Palmer Drought Index can be used as supplemental information.

- If multiple people worked on a delineation, be sure to indicate you, as an assured delineator, were the lead field worker and author.
- Any areas that have been filled need to be evaluated for possible wetland law violations. It is essential to include at least a rough estimate of the date when the wetland was filled, and any permit data if available.
- Dig soil pits to at least 20 inches, or deeper if necessary, to properly assess any potential soil or hydrology indicators. If refusal is encountered when digging the soil pit, document the reasons on the data sheet.
- Adequately characterize a site by documenting the characteristics of all plant communities/landscape positions. The proper amount of data collection should be based upon the site's size and complexity. Guidance on data collection can be found in Part IV, Section D of the Corps of Engineers 1987 Wetland Delineation Manual. Generally speaking, small homogenous areas require less documentation, and large heterogeneous areas require a greater amount of data collection. The following features are examples of areas that should be characterized with a data sheet:
 - wet spot on soil map
 - wetness signature on aerial photography
 - areas of hydric soils or soils with hydric inclusions
 - distinct plant communities observed on aerial photography
 - mapped wetland areas
- Do not make jurisdictional determinations on artificial wetland features such as ditches or ponds. WDNR needs to make a determination whether those features provide significant habitat for aquatic or wetland dependent organisms.
- Have a thorough understanding of disturbed and naturally problematic conditions. Document these conditions on your data sheets as appropriate.
- Please provide additional documentation for hydrology and soil indicators where appropriate and/or required. For example, if hydrology indicator B13 (Aquatic Fauna) is checked on a data form it should be noted what types and amounts of organisms were observed in the remarks.
- Make sure you are properly applying the hydric soil indicators based on soil profile textures.
- If you include regulatory language in your reports, please keep the language updated by removing references to obsolete and/or non-relevant programs and regulatory guidance. The following paragraph is an example of a concise summary of agency regulatory authority¹:

“Wetlands and waterways that are considered waters of the U.S. are subject to regulation under Section 404 of the Clean Water Act (CWA) and the jurisdictional regulatory authority lies with the U.S. Army Corps of Engineers (USACE). Additionally, the Wisconsin Department of Natural Resources (WDNR) has regulatory authority over wetlands, navigable waters, and adjacent lands under Chapters 30 and 281 Wisconsin State Statutes, and Wisconsin Administrative Codes NR 103, 299, 350, and 353. Furthermore, municipalities, townships and counties may have local zoning authority over certain areas or types of wetlands and waterways. The determination that a wetland or waterway is subject to regulatory jurisdiction is made independently by the agencies.”

Specific Delineation Considerations

The panel reviewed the Marine Drive Property, Blakesville/Snow Property, and Briohn Ventures 24, LLC delineation reports, and based upon this review the panel has the following comments:

- Consider modifying language in the the Regulatory Definitions section of your reports. For example, add language about Wisconsin's state jurisdiction. Also suggest removing information about what is considered a “WUS.”

¹ Language provided by Stantec Consulting Services, Inc. Used with permission.

- Understand when wetland hydrology indicators should be applied. At Sample Point DP-9 of the Blakesville & Snow Report, Drainage Patterns was checked for wetland hydrology, but this indicator typically does not apply to non-wetland areas.
- Collect an adequate amount of data points. For example, the far southeast corner of the Briohn Ventures site is mapped as a WWI wetland and has mapped hydric soil, but no sample points were taken in the area during the delineation.
- Include all data sheets in your report. There was no data form included for Sample Point T1-DP1 in the Briohn Ventures report.
- Make sure your figures are of adequate size for use by reviewers. It was difficult to locate the sample point locations on the delineation/survey figure for the Briohn Ventures report.
- Apply the proper wetland indicator status to plant species. In both the Blakesville/Snow Property and the Marine Drive Property reports, Norway Spruce was given a NI indicator status. Since it is not included on the hydrophytic plant list, this species should have been considered UPL.
- Properly apply hydric soil indicators.
 - For Sample Point DP-4 at the Marine Drive Property, the soil profile textures are too sandy for the F6 indicator; the S7 indicator may have been applicable, or you may have had rely on best professional judgement.
 - At Sample Point T2-DP5 in the Blakesville/Snow Property report, the A11 hydric soil field indicator should have been checked (horizon change at 12 inches should be included within A11).

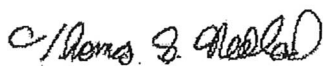
Please address these comments in your future work. It is important to note the review panel did not feel the concerns listed above resulted in inaccurate wetland boundaries, and that we are pleased with the quality of the reports you submitted.

We will be performing field evaluations for assured delineators again in 2015. Each assured delineator will have a field review conducted on at least one of their reports. The field reviews will provide an opportunity for us to discuss specific issues that may need to be addressed.

We know you will encounter difficult sites in the upcoming year. If you have any questions about one of those sites, please feel free to contact me. Members of the review panel are happy to meet with you to assist with specific wetland delineations or to discuss general delineation issues. Another good resource for difficult sites, especially related to artificial wetland features and their potential exemption status, are the local Water Management Specialists. We encourage you to contact the local Water Management Specialists for guidance on handling artificial wetland features such as ponds and roadside ditches.

If you or any client has a question regarding your status in the Wetland Delineation Professional Assurance Program, contact me by email at thomas.nedland@wisconsin.gov or phone at 920-303-5439. Thank you for all your hard work and best wishes for the upcoming field season.

Sincerely,



Tom Nedland, PWS
Wetland Identification Program Coordinator
Waterway and Wetland Protection Section
Bureau of Watershed Management



November 24, 2015

WIC-SE-2015-30-03895

Christine Erickson
42674 N. Kenosha Road
Zion, IL 60099

RE: Wetland Delineation Report for a vacant residential lot located east of 1097 92nd Place, in the SW1/4 of the SE1/4 of Section 18, Township 1 North, Range 23 East, Village of Pleasant Prairie, Kenosha County

Dear Ms. Erickson:

We have received and reviewed the wetland delineation report prepared for the above mentioned site by DK Environmental Services, Inc. This letter will serve as confirmation that no state regulated wetland is present within the project area. This confirmation is based upon an October 13, 2015 site visit. Our finding of a lack of state regulated wetland is valid for five years unless altered site conditions warrant a new wetland delineation be conducted.

If you are planning development on the property, you are required to avoid take of endangered and threatened species, or obtain an incidental take authorization, to comply with the state's Endangered Species Law. To insure compliance with the law, you should submit an endangered resources review form (Form 1700-047), available at <http://dnr.wi.gov/topic/ERReview/Review.html>. The Endangered Resources Program will provide a review response letter identifying any endangered and threatened species and any conditions that must be followed to address potential incidental take.

In addition to contacting WDNR, be sure to contact your local zoning office and U.S. Army Corps of Engineers to determine if any local or federal permits may be required for your project.

If you have any questions, please contact me at (262) 574-2115 or email Neil.Molstad@wisconsin.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Neil Molstad'.

Neil Molstad
Wetland Identification Specialist

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

cc: Marie Kopka, Project Manager, U.S. Army Corps of Engineers
Community Development Department, Village of Pleasant Prairie
Daniel Krill, DK Environmental Services, Inc.
Elaine Johnson, DNR Water Management Specialist
Intake, SE Region DNR Stormwater
Chris Jors, SEWRPC

Attachments:

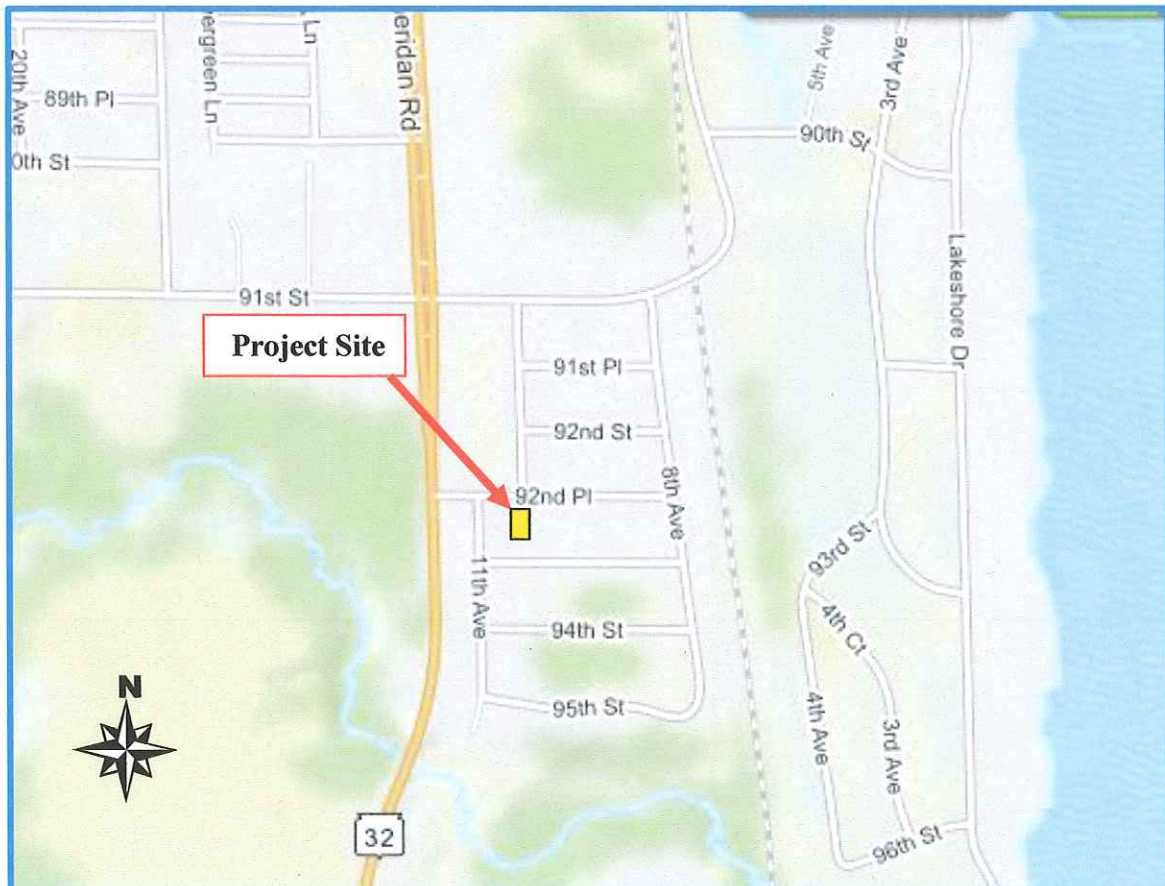
General Site Location Map
Aerial Photography of the Project Area

APPENDIX A

The following reference materials were reviewed and used to assist in the wetland field reconnaissance.

1. LOCATION

The ±0.19-acre project site is a vacant, residential lot located east of 1097 92nd Place, just southwest of the intersection of 11th Ave, and 92nd Place in the Village of Pleasant Prairie, Wisconsin. The property is located in a mature residential area in Carol Beach Estates subdivision in the SE ¼ of Section 18, Township 01 North, Range 23 East of the Third Principle Meridian. The central portion of the study area is located approximately at 42.537265° North Latitude and -87.823022° West Longitude.



5. AERIAL PHOTOGRAPH
APPROXIMATE DATA POINT LOCATIONS

