

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

AGENDA

1. Call to Order.
2. Roll Call.
3. Consider the minutes of the January 26, 2015 Plan Commission meeting.
4. Correspondence.
5. Citizen Comments.
6. New Business.
 - A. **PUBLIC HEARING AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #14-06** for the request of Theodore Johnson of TJ Design Strategies, Ltd., on behalf of the Costco Wholesale Corporation under construction at 7707 94th Avenue to **amend condition # 3 of Conditional Use Permit #14-06** to change the hours of operation for the gasoline facility from 6:30 a.m.-10:00 p.m. to 6:00 a.m.-10:00 p.m.
 - B. **PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT** to clarify the definition for Household pets in Section 420-152 of the Village Zoning Ordinance.
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.

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

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on January 26, 2015. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessler; Deb Skarda (Alternate #2); Jim Bandura; John Braig; Judy Juliana; and Bill Stoebig (Alternate #1). 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 JANUARY 12, 2015 PLAN COMMISSION MEETING.**

Don Hackbarth:

So moved.

Wayne Koessler:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY WAYNE KOESSL TO APPROVE THE MINUTES OF THE JANUARY 12TH 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:

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

Wayne Koessl:

Mr. Chairman, the lady there would like to ask a question of the Commission. I met her at the door, and she's a new resident of Pleasant Prairie.

Tom Terwall:

Please step to the microphone.

Ingrid Verhulst:

It is related to the things you're going to be talking about.

Wayne Koessl:

You want to do it now or wait until then? She has a question on R5 and C1 zoning.

Tom Terwall:

Do me a favor, ma'am, and give me your name and address.

Ingrid Verhulst:

Sure. My name is Ingrid Verhulst, and I live at 204 102nd Street in Pleasant Prairie.

Tom Terwall:

Thank you. And your question is?

Ingrid Verhulst:

My question is regarding the wetland staking that was done just two properties over. And what I'm wondering about is when you have a mixed designation does one of them override. And particularly in the case of C-1, does C-1 override R-5?

Jean Werbie-Harris:

I can address those comments as part of the public hearing.

Tom Terwall:

Thank you.

Wayne Koessl:

Mr. Chairman, can we take A and B together and then have separate votes?

Michael Serpe:

Second.

Tom Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY MICHAEL SERPE TO COMBINE ITEMS A AND B INTO ONE PUBLIC HEARING WITH TWO SEPARATE VOTES. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- A. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #15-02 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN to correct and amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. Specifically, Map 9.9 is proposed to be amended to correctly identify the field delineated wetlands with the field verified wetland land use designation on the vacant property located on 3rd Avenue at the 11300 block (Tax Parcel Number 93-4-123-304-0085).**

- B. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to rezone the field delineated wetlands on the property into the C-1, Lowland Resource Conservancy District and the non-wetland area into the R-5 Urban Single Family Residential District as the result of a wetland staking being completed on the vacant property generally located on 3rd Avenue at the 11300 block (Tax Parcel Number 93-4-123-304-0085). All other overlay districts on the property will remain unchanged.**

Jean Werbie-Harris:

Mr. Chairman, members of the Plan Commission and the audience, Item A is a public hearing and consideration of Plan Commission Resolution 15-02 for amendments to the Comprehensive Plan to correct and amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan

Map 9.9 and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. Specifically, Map 9.9 is proposed to be amended to correctly identify the field delineated wetlands with the field verified wetland land use designation on the vacant property located on 3rd Avenue at approximately the 11300 block. It's identified as Tax Parcel Number 93-4-123-304-0085.

And Item B, public and consideration of a Zoning Map amendment to rezone the field delineated wetlands on the property into the C-1, Lowland Resource Conservancy District, and the non-wetland area into the R-5 Urban Single Family Residential District. Again, this as the result of a wetland staking being completed on the vacant property generally located on 3rd Avenue at the 11300 block also identified as Tax Parcel Number 93-4-123-304-0085. All other overlay districts on the property will remain unchanged.

As you had mentioned, these items are related and will be discussed at the same time. However, separate action is required by the Plan Commission.

On October 24, 2014, the Village Plan Commission adopted Resolution #14-15 to initiate a petition to correct and amend the 2035 Land Use Plan Map 9.9 and the official Zoning Map as it relates to the wetland staking completed on the vacant property generally located on 3rd Avenue at the 11300 block known as Lot 20 of Block 16 in Carol Beach Estates Subdivision Unit #2 and further identified as Tax Parcel Number 93-4-123-304-0085.

On August 24, 2012, the Village received an application from Ms. Susan Weyers on behalf of the property owner, Johnson Bank, to re-delineate the wetlands on the vacant property. On October 4, 2012, the Southeastern Wisconsin Regional Planning Commission biologist conducted a wetland staking on the property, and on September 24, 2014 the Village received a letter from the Regional Planning Commission approving the plat of survey shown on Exhibit 1 of Plan Commission Resolution #15-02.

As a result of the wetland staking being completed the Comprehensive Plan and the Zoning Map are being amended to correctly identify the field delineated wetlands on the property. Specifically, the following amendments are proposed to the Comprehensive Plan as specified in Plan Commission Resolution #15-02:

1. To amend the 2035 Land Use Plan to correctly identify the field delineated wetlands and put them into that wetland land use designation. All other land use designations on the property will remain unchanged.
2. To update Appendix 10-3 to include that amendment.

Pursuant to the Comprehensive Plan, the Village Zoning Map and the Comprehensive Land Use Plan shall be consistent; therefore, the Zoning Map is being corrected to rezone the field delineated wetlands into C-1, Lowland Resource Conservancy District, and to rezone the non-wetland areas into the R-5, Urban Single Family Residential District. All other zoning overlays will remain unchanged on the property.

So with that I'd like to continue the public hearing. Both these Items A and B and the next items on the agenda, C and D, they both relate to a situation where there was a detailed wetland

delineation that was completed. And per our ordinance it's required that the wetlands be placed into the appropriate Comprehensive Plan land use category as well as into the appropriate zoning designation. So all of the wetlands on this property would be placed into a C-1, Lowland Resource Conservancy District. Again, that's not a buildable land use designation. And then the R-5 area would be the balance of the property which may or may not be buildable based on soil surveys and other work that's done by the prospective landowner. With that I'd like to continue the public hearing.

Tom Terwall:

This is a matter for public hearing. Anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak. Hearing none I'll open it up to comments and questions.

Don Hackbarth:

Mr. Chairman, I move we approve Resolution 15-02 of the Comprehensive Plan

Jim Bandura:

Second.

Tom Terwall:

Is this the item you were questioning, or were you on items 3 and 4?

Ingrid Verhulst:

Items 3 and 4 is the same thing but it's a different property.

Tom Terwall:

Okay, we'll wait until that comes up. We have a motion and a second.

Michael Serpe:

And a question. Is this lot still buildable?

Jean Werbie-Harris:

Well, I guess I can't answer that question. Again, the setback for wetland areas on the same property is a 25 foot setback. Side yard setbacks are 10 feet. And there's also 100-year floodplain on this property. So someone would need to take all of those and overlay all of that onto this lot and then evaluate to see if they could put a home of reasonable size as dictated by the ordinance, the R-5 designation, to see if they could place that on the property. I don't know that it would be possible. But, again, that would be up to the landowner. We did not perform that analysis.

Tom Terwall:

ANY FURTHER QUESTIONS? IF NOT, WE HAVE A MOTION BY DON HACKBARTH AND A SECOND BY JIM BANDURA TO APPROVE ITEM A, PLAN COMMISSION RESOLUTION 15-02 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. Item B?

Michael Serpe:

Move approval of the Zoning Map amendment.

Wayne Koessl:

Second, Chairman.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY WAYNE KOESSL WE SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP 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. Item C.

Michael Serpe:

C and D.

Tom Terwall:

You want to put that in the form of a motion, Mike?

Michael Serpe:

So moved.

John Braig:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JOHN BRAIG TO COMBINE ITEMS C AND D FOR PURPOSES OF THE PUBLIC HEARING AND TAKE TWO SEPARATE VOTES. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- C. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #15-03 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN to correct and amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. Specifically, Map 9.9 is proposed to be amended to correctly identify the field delineated wetlands with the field verified wetland land use designation on the vacant property located at the southwest corner of Lakeshore Drive and 102nd Street (Tax Parcel Number 93-4-123-203-0305).**

- D. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to rezone the field delineated wetlands on the vacant property located at the southwest corner of Lakeshore Drive and 102nd Street (Tax Parcel Number 93-4-123-203-0305) into the C-1, Lowland Resource Conservancy District and the non-wetland area into the R-5 Urban Single Family Residential District. All other overlay districts on the property will remain unchanged.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item C is a public hearing and consideration of Plan Commission Resolution 15-03 for amendments to the Comprehensive Plan to correct and amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include that amendment. Specifically, Map 9.9 is proposed to be amended to correctly identify the field delineated wetlands with the field verified wetland land

use designation on the vacant property located at the southwest corner of Lakeshore Drive and 102nd Street. It's identified as Tax Parcel Number 93-4-123-203-0305.

Item D is also a public hearing and consideration of a Zoning Map amendment to rezone the field delineated wetlands on the vacant property located at the southwest corner of Lakeshore Drive and 102nd Street. Again, the same Tax Parcel Number 93-4-123-203-0305. This would be a rezoning into the C-1, Lowland Resource Conservancy District, and the non-wetland area into the R-5 Urban Single Family Residential District. All other overlay districts on the property will remain unchanged.

So these items, again, are being discussed for one presentation by the staff. However, separate action would also be required by the Plan Commission.

On September 8, 2014, the Village Plan Commission adopted Resolution #14-13 to initiate and petition to correct and amend the 2035 Land Use Plan Map 9.9 and the official Zoning Map as it relates to the wetland staking completed on the vacant property generally located at the southwest corner of Lakeshore Drive and 102nd Street. Yes, it should be the northwest corner now that I'm looking at this. The property is also identified as Lot 15 of Block 35 in Carol Beach Estates Subdivision Unit #4 and further identified as Tax Parcel Number 93-4-123-203-0305.

On June 20, 2013, the Village received an application from David Grochocenske, Trustee in bankruptcy of Frank and Mabel Newman who are deceased for a wetland staking to be completed. On July 23, 2013, the Southeastern Wisconsin Regional Planning Commission biologist conducted a wetland staking on the property, and on August 18, 2014, the Village received a letter from the Regional Planning Commission approving the plat of survey shown on Exhibit 1 of Plan Commission Resolution #15-03.

As a result of the wetland staking being completed the Comprehensive Plan and the Zoning Map are being amended to correctly identify the field delineated wetlands on the property. Specifically, the following amendments are proposed to the Comprehensive Plan as specified in the resolution:

1. To amend the 2035 Land Use Plan to correctly identify the field delineated wetlands as shown on Exhibit 1 with the field verified wetland land use designation. Again, as previously, all other land use designations on the property will remain unchanged.
2. To update Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan to include that amendment.

Pursuant to the Comprehensive Plan, the Zoning Map and the Comprehensive Plan shall be consistent; therefore, the Zoning Map is being corrected to rezone the field delineated wetlands into C-1 District and to rezone the non-wetland areas into the R-5 District. Again, all other overlays on the property would not be changed. And this is a matter for public hearing.

And, again, what you can see on this particular lot there were three larger wetland areas that have been identified by the biologist which makes it somewhat awkward for development of a property on this particular lot. The situation is any wetlands on the wetlands does require a 25 foot setback from the foundation for any structures to be built. So it does make it a little difficult to put a

home on this particular property. Again, we do have minimums within the R-5 District that require a minimum first floor and a minimum total area for a home to be constructed. Again, we did not perform that details analysis for this property. We've not looked at the soils. The purpose, again, of this hearing this evening or the hearings are to rezone the property based on these delineations and to make sure that the Comprehensive Plan is consistent.

Don Hackbarth:

Would that move that closer to the prairie preservation land? [Inaudible] to be involved in it to be a preservation?

Jean Werbie-Harris:

It's not currently owned by the DNR. Is it in the acquisition area I think that's what he's asking. so if it's in the acquisition area then the DNR will evaluate it.

Don Hackbarth:

If the two people are dead that might be --

Jean Werbie-Harris:

But the trust still has to be a willing seller in order for the DNR to consider the purchase.

Wayne Koessl:

Through the Chair. Does the DNR still buy lots that are not buildable?

Jean Werbie-Harris:

They do. They have up through 2014.

Wayne Koessl:

Okay, thank you.

Tom Terwall:

Is there anybody wishing to speak on this matter? Come on up, ma'am.

Ingrid Verhulst:

Basically I think I've gotten all the information based on what you said, Jean. The only questions I would have is do you know whether a C-1 overrides an R-5 or not?

Jean Werbie-Harris:

I'm not sure what you mean by that. But a property can have dual zoning on it. But if there's enough upland that meets setbacks you could build in the R-5 District. But the C-1 area cannot be built on. It can't be filled or developed. And typically the rule of thumb is there needs to be at least 50 percent or more of the lot that's outside of the C-1 in order for it to be developed. That's how it works with the platting of a new subdivision. This one is questionable whether or not that they can get a home of reasonable size and design per that district. We'd have to look at it. If somebody was interested we'd have to look at it specifically.

Ingrid Verhulst:

I'm specifically interested in keeping it conservation land. But a rule of thumb you need about 50 percent of the lot?

Jean Werbie-Harris:

Correct.

Ingrid Verhulst:

Okay, that helps.

Jean Werbie-Harris:

But this is a little awkward because we've got three different areas that jut out.

Ingrid Verhulst:

So you have just in the middle in that little location. And you said there are R-5 minimums?

Jean Werbie-Harris:

There are, 900 for the first floor and 1,200 for --

Ingrid Verhulst:

Total area?

Jean Werbie-Harris:

Yes, in the R-5. It's 1,400 in the R-4 district.

Tom Terwall:

Does that answer your question, ma'am?

Ingrid Verhulst:

Yes, it does. Thank you very much.

Jean Werbie-Harris:

And actually just as information the Village does have its zoning ordinance online. So if you're familiar with working online in the upper right hand corner of our home page ordinances and the zoning ordinances 420. So if you click on 420 it will bring up the zoning ordinance. And if you scroll down you can get to any one of the districts, and it has all the specifics with respect to setbacks, areas and other requirements for each of the district.

Tom Terwall:

Any other comments or questions from the Commissioners?

John Braig:

Move approval of Resolution 15-03.

Jim Bandura:

Second.

Tom Terwall:

It's been moved by John Braig and seconded by Jim Bandura to adopt Resolution 15-03 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.

Wayne Koessl:

Move approval of the Zoning Map amendment, Chairman.

Judy Juliana:

Second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP 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. Motion carried.

E. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #15-04 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN to consider a revised Concept Plan for Pleasant Prairie Park as shown as Figure 8.3 of the Village of Pleasant Prairie Park and Open Space Plan, a component of the Village's 2035 Comprehensive Plan. The revised plan eliminates two ball fields and adds a football field in the north central portion of the park; adds a cell tower site in the central portion of the site; and relocates the pond further east.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item E is a public hearing and consideration of Plan Commission Resolution 15-04 for amendments to the Comprehensive Plan to consider a revised Concept Plan for Pleasant Prairie Park as shown as Figure 8.3 of the Village of Pleasant Prairie Park and Open Space Plan, a component of the Village's 2035 Comprehensive Plan. The revised plan eliminates two ball fields and adds a football field in the north central portion of the park, adds a cell tower site in the central portion of the site and relocates the pond a little bit further to the east.

So, again, just as a reminder where Pleasant Prairie Park is located it's just west of 104th Avenue, and it's just kind of west also Bain Station Road north of Highway C or Wilmot Road. It's identified with the red star. So primarily where the star is located it's primarily wetlands. But just to the north of that you can see some of the ball fields and the access in the parking area as well.

So on December 19, 2009, the Village Board had adopted the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan, and on May 20, 2013, the Board adopted the Village of Pleasant Prairie Park and Open Space Plan. The 2013-2018 Plan is a component of the Comprehensive Plan. The Park and Open Space Plan includes background information, goals, objective and standards, analysis of existing park and recreational facilities, policy Recommendations and program implementations well as recommended park, open space and trail conceptual plans.

The Village Park Commission at its December 2, 2014 meeting recommended that the Concept Plan for Pleasant Prairie Park as shown on Figure 8.3 on page 95 of the Park and Open Space Plan be amended. Again, this amendment would be to eliminate two ball fields and add a football field in the north central portion of the park, add a cell tower site in the central portion of the site, and relocate the pond a little bit further to the east. Exhibit 1 shows the existing Concept Plan and Exhibit 2 shows the proposed Concept Plan for Pleasant Prairie Park. On December 15, 2014, the Board also adopted Resolution #14-39 to initiate and petition to consider the revised Concept Plan for the Pleasant Prairie Park as shown on Exhibit 2.

And, again, as part of this entire process and because we do need to amend the Comprehensive Plan this revised Concept Plan is being also brought to the Village Plan Commission. And as part of our requirements for the Comprehensive Plan a public hearing is being held tonight in order to recommend these changes to the Comprehensive Plan. With that I'd like to continue the public hearing.

Tom Terwall:

Is there anybody wishing to speak on this matter? Aren't there currently two ball fields out there?

Jean Werbie-Harris:

Currently that's correct.

Tom Terwall:

So there will be none then, is that correct? You're going to eliminate two and a football field, Mike?

Mike Pollocoff:

Right now currently the two ball fields receive minimal use. There was a time when the softball program was a lot larger than it is now. And over time we've discovered that we need more football and soccer fields. And the existing ball fields we constructed at Prairie Springs Park are more than handling the need.

Don Hackbarth:

Do we have football fields here now?

Mike Pollocoff:

Not now, no.

Don Hackbarth:

So what's the plan?

Mike Pollocoff:

The plan is to change the softball fields into football. Right now we have football fields that kind of cross from one ball field to another at Prairie Springs Park.

Don Hackbarth:

The reason I say that is my grandson they play football, but they have to go way to north Racine. Is that the idea they're going to try to have a league down here?

Mike Pollocoff:

In fact, we would be part of the Racine league.

Don Hackbarth:

But they would play the Prairie kids here?

Mike Pollocoff:

Right.

John Braig:

Would that include lighting?

Mike Pollocoff:

We already have lighting there.

Don Hackbarth:

When is this going to be done?

Mike Pollocoff:

Part of it will be done this year, and the second part would be next year. So even if we got the park graded out we wouldn't want to play on it until the turf is stabilized in the following year.

Michael Serpe:

And that will be used also as a soccer field?

Mike Pollocoff:

Yeah.

Michael Serpe:

Good.

Wayne Koessl:

I think it's a good move and a good plan out there for that land usage. I'll make a motion to approve Resolution 15-04

Michael Serpe:

I'll second that.

Deb Skarda:

A quick question. So with the plan how many people will be there if you've got football games and soccer games going out at the same time, and how much parking is there?

Tom Terwall:

You wouldn't have soccer and football at the same time, though, would you? One or the other?

Mike Pollocoff:

Right now we use the U6 soccer and the U8 soccer. And we'll put one soccer field kind of crossing in the outfields of both them so we have three now. So with that we can pretty much accommodate everybody. I think the parking that we have out there now is handling it. There are some people that park along 104th Avenue.

Deb Skarda:

I've been past there and it gets a little dicey when you're trying to come out of the park. If you're coming from Bain Station and you're trying to right or left on 104th that would be one of the questions.

Mike Pollocoff:

Right. We have that period of time where one team is getting ready to leave, the other team is coming and then you have that switch of flow. But there have been times back when softball was big we'd start at five o'clock and go to ten o'clock and both fields were running nonstop. Maybe the neighborhood got used to a lot of activity during certain nights of the week there. Most of the underage soccer, in fact the underage soccer doesn't play at night, the 6 and 8. They play on the weekends and 10 doesn't play at night. But the football field when it's being used or for older kids for soccer that could be at night.

Deb Skarda:

The other question I had was do we have any idea how big the restrooms will be? Because as a parent who has had kids everywhere that's always a problem.

Don Hackbarth:

Sometimes they're locked.

Mike Pollocoff:

The restrooms that are shown from that are really moving from the site they are. They're troublesome. And we'd be building a restroom with more handicapped access directly east of the current playground. So those will be restrooms that follow our new model like we have at Prairie Springs Park.

Deb Skarda:

So the restrooms then would be --

Mike Pollocoff:

Up in that upper right hand corner.

Don Hackbarth:

Are they going to be open?

Mike Pollocoff:

Yeah. One of the problems out there, to be honest with you, is the vandalism. So when we had them open they were beating the sinks, breaking them and breaking the toilets. So we'd lock them so that they'd only be available during events.

Don Hackbarth:

But that's not true. Because, again, my grandson plays soccer and they were locked.

Mike Pollocoff:

Okay.

Michael Serpe:

I missed the question about is the fields lighted? They are lighted?

Mike Pollocoff:

They're lighted now. We repositioned the lights.

Michael Serpe:

Then that brings up the question if there's enough activity in that park if people are parking on 104th I don't recall what the street lighting is on 104th. Do we have any lights out there at all?

Mike Pollocoff:

We have a light on Bain Station and 104th, and I believe we have a light by the existing mini parking, a streetlight by the playground.

Jim Bandura:

Since the stop signs went up on 104th for Prairie Ridge and 79th Street has the traffic slowed any going down that way and coming through?

Mike Pollocoff:

It's slowed down some.

Jim Bandura:

Has it?

Mike Pollocoff:

Yeah. I mean the speed limit in front of this park almost to 79th was 25 already. For a park access that requires a 25 mile per hour speed limit. So what's happened is that the stop sign at 79th has done more to discourage the through travel. C and 104th was a bypass, was a way to get around the construction on Highway 50. Now for a while here that's done, and this discourages people from continuing to use that as a bypass. We have the stop signs on 104th and C. Now, the County they gave us a letter last week and they're going to take those stop signs out. They don't think they're warranted.

Jim Bandura:

No offense but I think they are because that's kind of a blind curve right there. And traffic moves just too fast to try to get out from 104th onto Highway C either way.

Mike Pollocoff:

Well, the staff is recommending that they stay up, and we're going to be bringing a resolution to the next Board meeting. We've got some input on all of them that are issues along Bain Station and C. But right now that's the recommendation that's going to the highway committee last month.

Deb Skarda:

One last question, I'm sorry. Maybe I missed this at the previous meeting, but on that 104th Avenue where you've got the basketball court isn't there a house there or a couple homes there right now?

Mike Pollocoff:

Sure. There's a house there, and if you continue to look at the plan where there's a dog park and parking there's a house. On the golf course there's a house there. Part of the Village's plan over the long term there was a lot of houses along 104th. And we've adopted this plan similarly to we have other ones so everybody around knows ultimately what's going to happen. So if those people decide to sell their houses, we're not going to acquire them through condemnation, but we would want to have the opportunity to purchase those houses and change the use.

But until that time we want everybody to know what the Village's ultimate plan is assuming that we acquire the properties. And there are three properties in order to complete this plan that would complete this park. When they're ready to sell and we can work out an agreement we'll do that. But until then we want them to continue to enjoy their houses such as they are and we'll wait until it's good for them and do the improvements later.

Tom Terwall:

Anybody else?

John Braig:

Move Resolution 15-04.

Tom Terwall:

WE HAD A MOTION ALREADY BY WAYNE KOESSL AND A SECOND BY MICHAEL SERPE. IT'S BEEN MOVED AND SECONDED TO ADOPT RESOLUTION 15-04 SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

F. Consider Plan Commission Resolution #15-05 to initiate a Zoning Text Amendment to re-evaluate the PUD, Planned Unit Development Overlay District requirements.

Jean Werbie-Harris:

Item F is to consider Plan Commission Resolution 15-05 to initiate a zoning text amendment to re-evaluate the PUD, Planned Unit Development Overlay District requirements. The Plan Commission may initiate a petition for the amendment of the zoning ordinance which could include rezoning of property, change in zoning district boundaries or the text of the zoning ordinance.

The Village staff is proposing that the Plan Commission initiate a re-evaluation of the Planned Unit Development Overlay District regulation, Section 420-137 of the zoning ordinance to clarify dimensional and design standards and how they may be modified by a PUD, but principal accessory or conditional uses only specified in the underlying district would be allowed. We are going to actually do some further examination of the rest of the PUD district that has not been looked at for a number of years. And since we tend to be using it on a regular basis we want to make sure that all the provisions are listed that we would like to use.

The Plan Commission hereby initiates and petitions to re-evaluate and clarify the PUD regulations. The proposed changes in the text are being referred to the Village staff for further study and recommendation. The Plan Commission is not by this resolution making any determinations regarding the merits of the proposed changes in the text but is only initiating the process by which the proposed changes of the ordinance can be promptly evaluated and brought back to the Plan Commission for their discussion. The staff recommends approval of the resolution as presented.

Don Hackbarth:

Move to approve Resolution 15-05 text amendments.

John Braig:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY JOHN BRAIG TO ADOPT RESOLUTION 15-05. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. ADJOURN.

John Braig:

Move adjournment.

Michael Serpe:

Second.

Tom Terwall:

All in favor say aye.

Voices:

Aye.

Tom Terwall:

Opposed? We stand adjourned.

Meeting Adjourned: 6:35 p.m.

- A. **PUBLIC HEARING AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #14-06** for the request of Theodore Johnson of TJ Design Strategies, Ltd., on behalf of the Costco Wholesale Corporation under construction at 7707 94th Avenue to **amend condition # 3 of Conditional Use Permit #14-06** to change the hours of operation for the gasoline facility from 6:30 a.m.-10:00 p.m. to 6:00 a.m.-10:00 p.m.

Recommendation: Village staff recommends that the Plan Commission approve the amendment **Conditional Use Permit #14-06** subject to the comments and conditions of the Village Staff Report of February 9, 2015.

VILLAGE STAFF REPORT OF FEBRUARY 9, 2015

CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #14-06 for the request of Theodore Johnson of TJ Design Strategies, Ltd., on behalf of the Costco Wholesale Corporation under construction at 7707 94th Avenue to **amend condition # 3 of Conditional Use Permit #14-06** to change the hours of operation for the gasoline facility from 6:30 a.m.-10:00 p.m. to 6:00 a.m.-10:00 p.m.

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

Findings:

1. The petitioner is requesting to amend the Costco Wholesale Corporation Conditional Use Permit #14-06 as approved by the Village Plan Commission on July 28, 2014 to change the hours of operation for the gasoline facility from 6:30 a.m.-10:00 p.m. to 6:00 a.m.-10:00 p.m. (See **Exhibit 1** for a copy of the application and **Exhibit 2** for a Conditional Use Permit #14-06)
2. The gasoline facility is currently under construction at 7707 94th Avenue (91-4-122-081-0225) and is anticipated to open this spring when the warehouse, also under construction, is completed.
3. Costco is requesting this change to be consistent with the new company wide change for their fuelling stations to open at 6:00 a.m. rather than 6:30 p.m.
4. The time change request still complies with the regulated hours allowed in the B-2, Community Business District.
5. Notices were sent to adjacent property owners via regular mail on January 22, 2015 and notices were published in the Kenosha News on January 26 and February 2, 2015.
6. The petitioner was emailed a copy of this memo on February 6, 2015.
7. According to the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials and information presented at the public hearing that the project as planned, will not violate the intent and purpose of all Village Ordinance and meets the minimum standards for granting of a Conditional Use Permit.

Village Staff Conclusions and Recommendation:

The Village staff has determined that based upon the foregoing information presented in the application and at the public hearing that the project 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;
- does not impair an adequate supply of light and air to the adjacent properties;
- does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department;

- does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- has no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use;
- the proposed and applied for use on this particular parcel is not inherently inconsistent with either the B-2, Community Business District or the adjoining Districts; and
- the proposed and applied for use will comply with all applicable Village ordinance requirements and all other applicable federal, state or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, streets and highways and fire protection.

Village staff further recommends that Conditional Use Permit #14-04 be amended to change condition #3 to read:

“The hours of operation, when the public is allowed to enter or remain on site for business purposes for the gasoline facility is daily 6:00 AM – 10:00 PM.”

The Village staff will prepare and amended Conditional Use Permit #14-04 to be executed by the owner. The owner shall be responsible for paying the required recording and filing to the Village for the Village to record said document at the Kenosha County Register of Deeds Office.



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

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

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

Use requires a Conditional Use Permit.

Table with 2 columns: Description and Date. Includes rows for Application Filed on, Preliminary Determination of Completeness on, Revised Plans Submitted, Public Hearing Required, Approved by, and Denied by.

SECTION 1: GENERAL INFORMATION

NAME OF BUSINESS: Costco Wholesale Corporation

SITE ADDRESS: 7707 76th Street 7707 94th Ave

BRIEF PROJECT DESCRIPTION: Amend current Conditional Use Grant No. 14-06, Item 3: The
hours of operation, when the public is allowed to enter or remain on site for business purposes for the
gasoline facility is daily 6:30 am to 10:00 pm. All Costco fuel facilities are open from 6:00 am to 10:00 pm
This will also apply to Ord #14-23 for the PUD

PROPOSED NUMBER OF FULL TIME EMPLOYEES: 75 initially

PROPOSED NUMBER OF PART-TIME EMPLOYEES: 75 initially

SITE SIZE: 764,042.4 sq. ft. 17.54 acres

PROPOSED BUILDING SIZE: 154,183 sq.ft. HEIGHT: 34 ft.

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

LEGAL DESCRIPTION: See Attachment "A"

TAX PARCEL NUMBER(S): 91-4-122-081-0221 0225

CURRENT ZONING CLASSIFICATION(S) OF THE PROPERTY: Commercial

- 1. Is a zoning map amendment proposed with this project? [X] Yes [] No
- If yes, proposed Zoning Classification(s): PUD Overlay
2. Is a zoning text amendment proposed with this project? [X] Yes [] No
- If yes, provide a copy of the proposed text amendment with this application

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

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

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

PUBLIC SERVICES:

1. Is the property serviced by Public Sanitary Sewer? YES NO
 - If no, the closest public sewer is located at _____
2. Is the property serviced by Public Water? YES NO
 - If no, the closest public water is located at _____
3. Maximum number of gallons/minute of water expected to be used per day is: 30.

THIS APPLICATION IS FOR A: (check one)

- Preliminary Site and Operational Plan:** An applicant may apply for preliminary site and operational plan approval in connection with an erosion control permit application for early mass grading, or in connection with an early foundation permit, or for other good cause shown
- New Site and Operational Plan**
- Amendment to an existing Site and Operational Plan**
 - **Date of initial site and operational plan approval:** Ord #14-23 8/4/14 & Conditional Use No. 14-06 6/28/14
 - **Date of each approved amendment:** _____

SECTION 2: EXISTING USES AND BUILDINGS ON THE SITE

Are there any existing buildings on the site? YES NO

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

SECTION 3: PHOTOGRAPHS

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

SECTION 4: CONDITIONAL USE

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

SECTION 5: NON-CONFORMING USE

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

SECTION 6: PERFORMANCE STANDARDS

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

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

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

SECTION 7: PLAN COMPONENTS

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

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

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

SECTION 8: SIGNATURES

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

PROPERTY OWNER:

Name: Costco Wholesale
 (Please Print)
 Signature: *B. Coffey Corp. Counselor*
 Address: 999 Lake Drive
Issaquah WA 98027
 (City) (State) (Zip)
 Phone: 425-3136549
 Fax: 425-313-8114
 E-mail: bcoffey@costco.com
 Date: 12/15/14

APPLICANT:

Costco Wholesale
 Name: c/o Theodore R. Johnson
 (Please Print)
 Signature: *Theodore R. Johnson*
 TJ Design Strategies, Ltd.
 Address: 2300 W. 22nd Street, Suite 208
Oak Brook IL 60523
 (City) (State) (Zip)
 Phone: 630-368-0840
 Fax: 630-368-0845
 E-mail: tjohnson@tjdesignltd.com
 Date: _____

Is the applicant the owner of the property? YES NO

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

DEVELOPER (if Applicable)

Name: _____
 (Please Print)
 Signature: _____
 Address: _____

 (City) (State) (Zip)
 Phone: _____
 Fax: _____
 E-mail: _____
 Date: _____

USER OR OCCUPANT OF SITE:

Name: Costco Wholesale Corporation
 (Please Print)
 Signature: *B. Coffey Corp. Counselor*
 Address: 999 Lake Drive
Issaquah WA 98027
 (City) (State) (Zip)
 Phone: 425-313-6549
 Fax: 425-313-8114
 E-mail: bcoffey@costco.com
 Date: 12/15/14

COSTCO – PLEASANT PRAIRIE, WI

SITE AND OPERATIONAL PLAN AND CONDITIONAL USE AMENDMENT

The applicant, Costco Wholesale is currently developing a not to exceed 154,000 square foot warehouse retail building that includes an 5,500 square foot attached accessory tire center, food service center, employee break room and locker area. In addition, a freestanding 4 island gasoline fueling facility containing 16 pumping positions is also proposed for the site. The PUD dated August 4 and the Conditional Use Permit dated June 28, 2014 have been obtained. Unfortunately after further review of the respective ordinances Costco Wholesale has one minor request to be made as it relates to the operating hours specifically for the Fueling Facility. Currently the Conditional Use Grant No. 14-06 states the hours of operation are from 6:30 am – 10:00 pm. Costco requests this be changed to 6:00 am – 10 pm. All Fuel Facilities company-wide now open at 6:00 am.

COSTCO WHOLESALE

Operational Plan Responses

(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.

Costco Wholesale Corporation operates an international chain of membership warehouses, mainly under the "Costco Wholesale" name, that carry quality, brand name merchandise at substantially lower prices than are typically found at conventional wholesale or retail sources. The warehouses are designed to help small-to-medium-sized businesses reduce costs in purchasing for resale and for everyday business use. Individuals may also purchase for their personal needs.

Costco's warehouses present one of the largest and most exclusive product category selections to be found under a single roof. Categories include groceries, candy, appliances, television and media, automotive supplies, tires, toys, hardware, sporting goods, jewelry, watches, cameras, books, housewares, apparel, health and beauty aids, tobacco, furniture, office supplies and office equipment. Costco is known for carrying top quality national and regional brands, with 100% satisfaction guaranteed, at prices consistently below traditional wholesale or retail outlets. Costco also offers tire installation, pharmacy, one-hour photo, hearing aid, optometry and travel services.

Members can also shop for private label Kirkland Signature products, designed to be of equal or better quality than national brands, including juice, cookies, coffee, housewares, luggage, clothing and detergent. The Company also operates self-service gasoline stations at a number of its U.S. and Canadian locations.

Additionally, Costco Wholesale Industries, a division of the Company, operates manufacturing businesses, including special food packaging, optical laboratories, meat processing and jewelry distribution. These businesses have a common goal of providing members with high quality products at substantially lower prices.

(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.

Costco is seeking to construct a 149,365 square foot warehouse retail building that includes an accessory tire center, food service center, employee break room, locker area, fire pump room, and an enclosed 4,234 square foot entrance canopy, totaling 153,955 square foot building area. In addition, a freestanding 3 island gasoline fueling facility containing 12 pumping positions (with an option to build in the future a 4th island/total 16 pumping positions) is also proposed for the site. The proposed warehouse is located in the general area at the northwest corner of 91st

Street and Prairie Ridge Boulevard. The fueling facility will be located at the southwest corner of 94th Avenue and 76th Street. Both parcels are within the Prairie Ridge Planned Unit Development within the village limits of Pleasant Prairie, Wisconsin.

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

The proposed building will not exceed 154,000 square foot. See (b) above

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

Warehouses:

Monday – Friday 10:00 AM to 8:30 PM

Saturday 9:30 AM to 6:00 PM

Sunday 10:00 AM to 6:00 PM

Gas Station Hours 6:00 AM – 10:00 PM

Hours of deliveries typically range from 4:30 a.m. to 10:00 a.m. Monday – Saturday. At this location Costco will not accept deliveries before 6:00 a.m. or after 10:00 p.m.

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

150 employees: 50% full time and 50% part time

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

Employees come in at random times throughout operational hours. No specifically defined shifts.

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

Peak employees at one time in the warehouse is approximately 75.

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

N/A

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

770 required (5/1000)

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

673 10'x20' spaces / 17 handicapped accessible spaces - 690 total stalls provided.

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

The proposed Costco warehouse is expected to generate 720 new trips during the weekday evening peak. (360 entering vehicles /360 exiting vehicles)

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

8 – 10 trucks per day, Monday thru Saturday.

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

Fresh produce, Gourmet Deli and Rotisserie Chicken, Fresh Meat, Fresh Bakery, groceries, candy, appliances, television and media, automotive supplies, tires, toys, hardware, sporting goods, jewelry, watches, cameras, books, housewares, apparel, health and beauty aids, tobacco, furniture, office supplies and office equipment.

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

Please refer to Costco Wholesale Corporate Sustainability Report

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

Please refer to Costco Wholesale Corporate Sustainability Report

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

Please refer to Costco Wholesale Corporate Sustainability Report

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

A Costco employee is responsible for checking membership cards for all parties entering the building, as well as merchandise checking upon departing the building. In addition, Costco has cameras strategically located throughout the warehouse with in-house security monitoring at all times.

(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.

Costco's property management department is responsible for maintaining the facilities and putting into place any contractual services required for maintain the grounds.

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

Costco does not anticipate any potential adverse impacts to neighboring properties or public facilities. Any issues that may arise are addressed at the earliest possibility.

(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.

Costco's team is still in the process of identifying such permits, etc. and will provide all required documentation.

(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.

Understood, does not appear to be applicable

(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.

Understood

(c) (reserved)

Understood

(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.

Understood.

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

Understood

(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:

Not applicable

[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;

Not applicable

[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

Not applicable

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

Not applicable

(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.

Not applicable

(h) Indoor pyrotechnic displays are prohibited.

Not applicable



**VILLAGE OF PLEASANT PRAIRIE
CONDITIONAL USE GRANT NO. 14-06**

Before the Village of Pleasant Prairie Plan Commission,
Kenosha County, Wisconsin, in regard to the property
located at 7707 94th Avenue, Pleasant Prairie WI



DOCUMENT
1737455

RECORDED
At Kenosha County, Kenosha WI 53140
JoEllyn M. Storz, Register of Deeds
November 11, 2014 2:22 PM
\$30.00
Pages 4

Return to:

Village of Pleasant Prairie
9915 39th Avenue
Pleasant Prairie, WI 53158

Tax Parcel Number:

91-4-122-081-0225

H.

Legal Description: Lot 1 of CSM 2768 as recorded at the Kenosha County Register of Deeds Office on October 16, 2014 as Document Number 1735989 located in a part of the U.S. Public Land Survey Section 8, Township 1 North, Range 22 East in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin.

WHEREAS, the Zoning Ordinance and Zoning District Map of the Village of Pleasant Prairie, pursuant to Wisconsin Statutes, provides that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the Village of Pleasant Prairie as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

WHEREAS, such petition having been made to construct and operate a gasoline fueling station with up to four (4) fueling islands and 16 fueling positions for Costco Wholesale Corporation on said property; and

WHEREAS, a public hearing held thereon, and the Village Plan Commission having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, that the grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing, and in particular the memorandum from the Village Fire & Rescue Department, the project meets the following standards for granting a Conditional Use Permit in that the project/use:

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;
- The project does not impair an adequate supply of light and air to the adjacent properties;
- The project does not increase danger of fire;
- The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- There is no existing identified hazard, danger, harm, noxiousness, offensiveness,

nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed project; and

- The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-2, Community Business District in which it is located or the adjoining Zoning Districts and/or neighborhood.

NOW THEREFORE, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated to construct and operate gasoline fueling station with up to four (4) fueling islands and 16 fueling positions for Costco Wholesale Corporation on said property:

1. Compliance with the Site and Operational Plans as conditionally approved by the Village Plan Commission on September 22, 2014 and on file with the Village.
2. All plans shall conform to applicable Village ordinance requirements, and to all other applicable local, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
3. The hours of operation, when the public is allowed to enter or remain on site for business purposes for the gasoline facility is daily 6:30 AM – 10:00 PM.
4. Compliance with the executed Digital Security Imaging System Agreement and DSIS Access Easement recorded at the Kenosha Register of Deeds office, as conditionally approved by the Plan Commission on September 22, 2014.
5. All uses shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water discharges and storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive as determined by the Village shall apply.
6. The use, operations, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved Site and Operational Plans, the Conditional Use Permit, Liquor and Tobacco Licenses and all other applicable provisions of the Village Municipal Code and all other applicable Village, County, State Building Codes, Fire & Rescue Ordinances and national and federal regulations.
7. The use, operations, site, building and structures shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the Performance Standards set out in Section 420-38 of the Village Zoning Ordinance.
8. The owner shall obtain and maintain all permits and licenses required for the sale of petroleum. A copy of the license shall be provided to the Village.
9. The site and building shall be maintained in a clean, neat, presentable, aesthetically pleasing, odor-free, structurally sound and nonhazardous condition inside and outside of the store at all times. All litter and debris outside shall be promptly removed on a daily basis.
10. All signs related to the fueling station shall comply with Article X of the Village Zoning Ordinance (Chapter 420) and the specific PUD Ordinance for this development. Signs shall not be located within any Village Easement but may be

allowed within a Utility Easement with written approval from We Energies. A permit is required to be issued prior to installation for most signs including the primary monument sign, on-site directional signs and wall signs. For a complete listing of prohibited signs refer to the Article X of Chapter 420 of the Village Municipal Code.

Note: **The following types of signs are prohibited and shall not be installed.**

- Any sign with flashing or pulsating lights.
 - Any inflatable sign, including but not limited to tethered balloon signs or other gas-filled figures.
 - Any temporary, spring-action metal advertising sign used, for example, to advertise cigarette or gasoline prices or food items for sale.
 - Any spotlights used as visual attention-getters.
 - Banner signs affixed to the buildings, landscaping, light standards or canopy poles, except for the grand opening signage which may be allowed for up to 21 days.
 - Strings of lights, tinsel, pennants, pinwheels or other similar devices hanging between two points or attached to light poles, cars, landscaping or structures on the property.
 - Advertising signage on, banded to or affixed to the gas pumps or lights.
 - Advertising signage affixed to or painted on the bollards, picnic tables, lighting, landscaping, building, car wash, picnic areas, canopy, garbage or recycling cans, painted on the pavement.
 - A-frame advertising signs in the parking lot or on the sidewalk.
11. Costco delivery trucks shall not utilize Prairie Ridge Boulevard for access to and from the Costco site. Costco and other semi-trucks shall arrive at the site via STH 50 south on 91st or 94th Avenues. As needed, the Village will install "No Semi-Truck Deliveries" signs on Prairie Ridge Boulevard to re-direct semi-truck traffic from using Prairie Ridge Boulevard for deliveries/departures. Delivery trucks shall not be parked and left idling on the site at any time.
 12. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.
 13. No outside storage of any racking, recycling, products, raw materials, building materials, metal racking, displays, etc. is allowed.
 14. No vehicles or boats for sale shall be placed exterior of the store in the parking lot.
 15. There shall be no pods or temporary trailers parked on site storing products.
 16. No overnight parking shall be permitted for delivery trucks or semi-trucks on the site.
 17. No outside loud speakers shall be utilized in the parking lot areas.
 18. The site shall not 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.

19. No changes to the exterior site, building or structures shall be made without the Village's approval. No painting of the exterior of the buildings shall be permitted, unless expressly permitted by the Village.

Granted by the action of the Village of Pleasant Prairie Plan Commission the 28th day of July 2014.

Thomas W Terwall

Thomas W. Terwall
Plan Commission Chairman

ATTEST:

Michael J. Seras

Donald Hackbarth
Secretary *Michael J. Seras*

OWNER: COSTCO WHOLESALE CORPORATION.

Bruce Coffey
Bruce Coffey
Legal Counsel for Costco Wholesale Corporation

ACKNOWLEDGMENT

STATE OF ~~WISCONSIN~~ WASHINGTON
SS
KING COUNTY)

This instrument was acknowledged before me in ISSAQUAH (city)
WASHINGTON (state), on this 27th day of OCTOBER, 2014 by **Bruce Coffey, Legal Counsel for Costco Wholesale Corporation.**



Stefanie G. Parmenter
Print Name: Stefanie G. Parmenter
Notary Public, King County, WA
My Commission Expires: 5-29-17

THIS INSTRUMENT WAS DRAFTED BY:

Jean M. Werbie-Harris
Community Development Director
Village of Pleasant Prairie
9915 39th Avenue
Pleasant Prairie, Wisconsin 53158

B. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT to clarify the definition for Household pets in Section 420-152 of the Village Zoning Ordinance.

Recommendation:

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Text Amendment** as presented in the February 9, 2015 Village Staff Report.

VILLAGE STAFF REPORT OF FEBRUARY 9, 2015

CONSIDERATION OF A ZONING TEXT AMENDMENT to clarify the definition for Household pets in Section 420-152 of the Village Zoning Ordinance.

On January 12, 2015 the Village Board adopted Resolution #15-01 to initiate amendments to the Village Zoning Ordinance to clarify that the only type of livestock allowed as a household pet are rabbits and that other animals such as fowl or poultry, goats, pot belly pigs, exotic snakes, large reptiles and other exotic animals not commonly found in residences are not allowed as household pets.

The definition of Household Pets is proposed to read as follows (words that are bold and highlighted yellow are added and words in red with a strikethrough are being removed.)

Pets, Household: Animals commonly found in residences as pets, such as dogs, cats, songbirds, rabbits, and other small animals, providing that they are not raised or reared for commercial resale or as a source of stable supplement. Household pets shall not include livestock, except **for** rabbits. **In addition, household pets shall not include** fowl or poultry, goats, pot belly pigs, exotic snakes, ~~and~~ large reptiles and ~~shall not include~~ other **exotic** animals not commonly found in residences **as determined by the Village Zoning Administrator**.

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

ORD. NO. 15-__
ORDINANCE TO AMEND
THE VILLAGE ZONING ORDINANCE
RELATED TO DEFINITION FOR HOUSEHOLD PETS
IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN

THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN, DO HEREBY ORDAIN THAT THE DEFINITION FOR PETS, HOUSEHOLD IN SECTION 420-152 OF THE VILLAGE ZONING ORDINANCE IS HEREBY AMENDED TO READ AS FOLLOWS:

Pets, Household: Animals commonly found in residences as pets, such as dogs, cats, songbirds, rabbits, and other small animals, providing that they are not raised or reared for commercial resale or as a source of stable supplement. Household pets shall not include livestock, except **for** rabbits. **In addition, household pets shall not include** fowl or poultry, goats, pot belly pigs, exotic snakes, ~~and~~ large reptiles and ~~shall not include~~ other **exotic** animals not commonly found in residences **as determined by the Village Zoning Administrator.**

Adopted this ____ day of _____, 2015.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

John P. Steinbrink
Village President

Jane M. Romanowski
Village Clerk

Posted: _____

__ -household pets def amend