

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

AGENDA

1. Call to Order.
2. Roll Call.
3. Consider the minutes of the May 11, 2015 Plan Commission meeting.
4. Correspondence.
5. Citizen Comments.
6. Old Business.
 - A. **TABLED PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN** for the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for two (2) proposed multi-tenant retail buildings on the property generally located at the southeast corner of STH 50 (75th Street) and 94th Avenue within the Prairie Ridge development.
7. New Business.
 - A. **PUBLIC HEARING AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #13-03** for the request of Attorney J. Michael McTernan, agent for VIDHYA Corp, VIII, Inc., the property owners, to remove condition #54 and to allow the BP Amoco gasoline station and convenience store located at 10477 120th Avenue to remain open after June 10, 2015 subject to the terms and conditions of the existing Conditional Use Permit and the Settlement Agreement between the Village and the property owners. ***(Requested by the petitioner to be tabled until the June 8, 2015 Plan Commission Meeting).***
 - B. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS** for the request of Randy Copenharve, agent for Route 165, LLC owner of the property located at 13305 104th Street for the installation of a 50 foot by 72 foot open air hydrogen fuel cells storage facility enclosed by 16 foot high precast wall panels and an ornamental fence to be generally located southeast of the warehouse building (W-2) currently under construction. The fuel cells will be used to power Uline's fleet of electric forklifts as an alternative to battery powered forklifts.
 - C. Consider the request of James and Amy Bejna owners of the property located at 8282 64th Court (Lot 21 of Tuckaway Trails) for approval of a **Lot Line Adjustment** to add approximately 416 square feet to their lot from the southeast corner of the property located at 8276 64th Court (Lot 20 of Tuckaway Trails) owned by William and Anne Brown.
8. 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.
May 11, 2015**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on May 11, 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 APRIL 27, 2015 PLAN COMMISSION MEETING.**

Don Hackbarth:

So moved.

Judy Juliana:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY JUDY JULIANA TO APPROVE THE MINUTES OF THE APRIL 27, 2015 MEETING OF THE PLAN COMMISSION AS PRESENTED. 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 -- there are no public hearings tonight. So if you wish to make a comment now would be your opportunity to do so. 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' comments?

6. NEW BUSINESS.

A. PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN for the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for two (2) proposed multi-tenant retail buildings on the property generally located at the southeast corner of STH 50 (75th Street) and 94th Avenue within the Prairie Ridge development.

Jean Werbie-Harris:

The first item is public hearing and consideration of a conceptual plan for the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for two proposed multi-tenant retail buildings on the property generally located at the southeast corner of Highway 50 or 75th Street and 94th Avenue within the Prairie Ridge development. The Village staff received an email correspondence from Mr. Eberle on Thursday, May 7th, and they are requesting some additional time to work out some of the details with respect to their project. And so they are requesting that the item be tabled until the May 26, 2015 Plan Commission meeting.

Don Hackbarth:

I move we table Item A.

Wayne Koessl:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY WAYNE KOESSL TO TABLE ITEM A UNTIL MAY 26TH. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

B. PUBLIC HEARING AND CONSIDERATION OF A FLOODPLAIN BOUNDARY ADJUSTMENT for the request of Matt Carey with Pinnacle Engineering Group, agent for Route 165, LLC owner of the property located at 12575 Uline Drive to remove 2,226 cubic yards from the 100-year floodplain and to create 3,795 cubic yards of 100-year floodplain to compensate for the 100-floodplain begin filled for the purpose of constructing a conference center between the Uline Corporate Office building and the easternmost warehouse building on the property.

Jean Werbie-Harris:

Item B is the public hearing and consideration of a floodplain boundary adjustment for the request of Matt Carey with Pinnacle Engineering Group, agent for Route 165, LLC owner of the property located at 12575 Uline Drive to remove 2,226 cubic yards from the 100-year floodplain and to create 3,795 cubic yards of 100-year floodplain to compensate for the floodplain being filled for the purpose of constructing a conference center between the Uline corporate office building and the easternmost warehouse building on the property. Mr. Chairman, on May 8th we received an email from Randy Copenharve representing Uline. And they have requested that this particular item be postponed or tables until the June 8 Plan Commission meeting. And so the staff recommends that this particular item be tabled until June 8th.

Don Hackbarth:

I move we table Item B.

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY MICHAEL SERPE TO TABLE ITEM B PUBLIC HEARING UNTIL THE JUNE 8, 2015 PLAN COMMISSION MEETING. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

C. Consider the request of Matt Carey with Pinnacle Engineering Group, agent for Route 165, LLC owner of the property located at 12575 Uline Drive for approval of Preliminary Site and Operational Plans for the grading of a portion of the property for the construction of a conference center between the Uline Corporate Office building and the easternmost warehouse building on the property.

Jean Werbie-Harris:

Item C is to consider the request of Matt Carey with Pinnacle Engineering Group, agent for Route 165, LLC owner of the property located at 12575 Uline Drive for approval of Preliminary Site and Operational Plans for the grading of a portion of the property for the future construction of a conference center between the Uline corporate office building and the easternmost warehouse building on the property. Again, this item, just like the previous item, pursuant to an email request from Randy Copenharve dated May 8, 2015, Uline has requested that this item be tabled until the June 8 Plan Commission.

Don Hackbarth:

I move we table Item C.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY JIM BANDURA TO TABLE ITEM C UNTIL THE JUNE 8, 2015 PLAN COMMISSION MEETING. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Item D, Jean.

Jean Werbie-Harris:

And Item D I would request that this item be moved to the end of the agenda. We're still waiting for a couple of people that are on their way. And so I'd ask if we could just move Item D to the end of the agenda and continue on at this time with Items E and F.

Michael Serpe:

So moved.

John Braig:

Second.

Tom Terwall:

Moved by Michael Serpe and seconded by John Braig to move Item D to the end of the agenda.
All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

E. Consider the request of Erik Waslrick on behalf of Jean and Norma Brown for approval of a Certified Survey Map to subdivide the property located at 2629 89th Street.

Jean Werbie-Harris:

Item E is to consider the request of Erik Waslrick on behalf of Jean and Norma Brown for approval of a Certified Survey Map to subdivide the property located at 2629 89th Street. The petitioner is requesting to subdivide the property located at 2629 89th Street into two parcels. The property is currently zoned R-4, Urban Single Family Residential District, which requires lots to have a minimum frontage of 90 feet on a public road and a minimum lot area of 15,000 square feet.

Parcel 1 is proposed to be 55,919 square feet with more than 300 feet of frontage on 29th Avenue. A new home is proposed to be constructed on this property directly north of the home at 8929 29th Avenue. This new home will be required to connect to municipal sanitary sewer in 29th Avenue and the City of Kenosha municipal water. It's within the City of Kenosha municipal water district area.

Parcel 2 is proposed to be 119,924 square feet with 186 feet of frontage on 89th Street. The existing home and outbuildings on the property would remain. The proposed land division conforms with the Village's Zoning requirements, Land Division and Development Control Ordinance and the Village's Comprehensive Land Use Plan. And as you saw from the previous slide that this is kind of one large irregularly shaped property I think the intent was at some point it would continue to subdivide similar to what you see out there. But at this time what they're asking is just to make that split into two parcels at this time.

Don Hackbarth:

Jean, where's the house [inaudible]?

Jean Werbie-Harris:

Right to the north right up there.

Tom Terwall:

Does that property have sewer and water? It does?

Jean Werbie-Harris:

On 89th.

John Braig:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

It's been moved by John Braig and seconded by Jim Bandura to approve the site and operational plan subject to the terms and conditions outlined --

Jean Werbie-Harris:

Certified survey map, excuse me.

Tom Terwall:

I'M SORRY. IT'S BEEN MOVED BY JOHN BRAIG AND SECONDED BY JIM BANDURA 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.

F. Consider the request of Ronald and Debra Hessil for approval of a Lot Line Adjustment to add 30.03 feet from the vacant property (owned by Associates LLC-William Kant agent) to the rear of the 3514 93rd Street property (owned by Daniel and Teresa Cole) and the 3516 93rd Street property (owned by Ronald and Debra Hessil).

Jean Werbie-Harris:

Item F is to consider the request of Ronald and Debra Hessel for approval of a lot line adjustment to add 30.03 feet from the vacant property owned by Associates LLC-William Kant, agent, to the rear of the property located at 3514 93rd Street owned by Daniel and Teresa Cole and the property located at 3516 93rd Street owned by Ronald and Debra Hessel.

The property located at 3514 93rd Street and further identified as Tax Parcel Number 92-4-122-133-0240 owned by Daniel and Teresa Cole and the property located at 3516 93rd Street and further identified as Tax Parcel Number 92-4-122-133-0235 owned by Ronald and Debra Hessel are proposed to be adjusted with the vacant property to the north which is actually Lot 1 of CSM 2447 that is currently identified as Tax Parcel Number 91-4-122-133-0231 owned by Associates LLC-William Kant, agent.

Specifically, 30.03 feet is being added to the rear of both of the properties at 3514 and 3516 93rd Street from the vacant property to the north. Both properties are zoned R-4, Urban Single Family Residential District, and this district does require lots to be a minimum of 15,000 square feet. After the adjustment, both lots as well as the lot to the north will continue to meet the minimum requirements of the R-4 District. The lot line adjustment and will comply with the requirements set forth in the Village's Zoning Ordinance as well as the Land Division and Development Control Ordinance.

And, again, just if you could go backwards. As you can see where this vacant land is located north of 93rd Street, and you can see where that adjustment will be made to align right there with the two parcels similar to the one that was previously aligned to the west. The staff recommends approval of the lot line adjustment subject to the petitioner's recording the proper transfer documents with the plat of survey for the lot line adjustment as an exhibit at the Kenosha County Register of Deed's office within 30 days.

Michael Serpe:

So moved.

Judy Juliana:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JUDY JULIANA TO APPROVE THE LOT LINE ADJUSTMENT AS REQUESTED 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:

Let's take a 15 minute break.

Tom Terwall:

Is there a second to that motion?

John Braig:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JOHN BRAIG TO TAKE A 15 MINUTE BREAK.

Jean Werbie-Harris:

We should ask the petitioner are they on their way. What would you like us to do? How about a five minute break.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed?

[Break]

Tom Terwall:

We'll reconvene the meeting. Jean, we're ready for Item D.

D. Consider the request of John Lass on behalf of LakeView XVI Venture LLC owners of the property located 11681 88th Avenue for Site and Operational Plan approval for the Prairie View Distribution Services (dba Midwest Refrigerated Services) to

occupy the entire 411,000 square foot building for the warehousing of bottled beverages, canned cranberry sauce and jelly, and packaged Craisins.

Jean Werbie-Harris:

On May 12, 2014, the Plan Commission conditionally approved Site and Operational Plans for the development of LakeView South Lots 117 and 118, which included the construction of two storm water facilities and the construction of two industrial buildings, an approximate 521,000 square foot building and an approximate 412,000 square foot building and the associated site improvements on each of the lots. At this time the petitioner is requesting approval of the Site and Operational Plans for Midwest Refrigerated Services to occupy the entire building under construction at on Lot 118 located at 11681 88th Avenue.

Prairieview Distribution Services, LLC is a subsidiary of Midwest Refrigerated Services which currently operates two distribution centers located in Pleasant Prairie. They are a contracted warehouse service provider with a focus on food products and food related goods such as packaging materials and ingredients in all temperature ranges. Their Pleasant Prairie business is ambient and air conditioned temperature warehousing of primarily bottled beverages, canned cranberry sauce and jelly, and packaged Craisins coming from the Ocean Spray plant located in the City of Kenosha and other plants in Wisconsin. They do not process food nor do they own the inventories held in their warehouses. They simply receive and ship goods per their customer's direction.

The two Pleasant Prairie locations are proposed to be consolidated into this one new site along with overflow inventories currently held at a remote site in northern Illinois. The goal of consolidation into one facility is attaining efficiencies of common space use and a common workforce rather than fractional work groups and people driving back and forth between facilities. Also, the new facility will have higher ceilings allowing for some improved racking capacity for pallet storage as compared to some of their current facilities and better utilizing dock space and other common use space and eliminating redundant office and support uses or areas. After they consolidate the three facilities into one building, they should have approximately a 15 to 20 percent capacity improvement for meeting their customers' growth.

The facility will operate 24 hours a day 7 days a week unless their customers' requirements allow for reduced operating hours during weekends and holidays. The facility is not a retail operation open to the public as they are an industrial/wholesale style operation, shipping inventory to the retail and foodservice distributors who in turn sell these goods to consumers.

PVDS currently employs approximately 60 full-time people and uses some seasonal and temporary staff for assembling retail or ready to display orders of inventory. The RTD assembly process at times requires additional staffing of 10 to 15 people supplied by temporary staffing agencies. The process is simply moving consumer packed goods from wholesale case configurations into a variety of retail configurations commonly found in club stores or retail grocers.

PVDS will operate using three shifts per day. The Monday through Friday daytime shift would include warehouse lift truck operators, office personnel and managers, repack staffing of full-time

employees and temporary workers, for a total of approximately 30 to 45 people on site. The second shift would have approximately 10 to 20 people driving lift trucks and occasionally performing some work. Third shift would have approximately 10 people driving lift trucks. Weekend shifts, when needed, are approximately 5 to 10 people driving lift trucks. Pursuant to the applicant, these jobs will be transferring from the other locations. There is planned growth that could result in the addition of five more forklift operators in the next 12 months. They intend to occupy this building by September 1.

Peak numbers of employees on site would occur during the Monday through Friday daytime shifts, with an average of approximately 30 to 35 people and seasonal peaks, or spot peaks of approximately 45 people. Anticipated daily average and maximum potential number of automobile trips to and from the site excluding trucks is 60 average or 85 maximum. Anticipated daily average and maximum potential number of truck trips to and from the site is 75 average or 150 maximum. The site has adequate parking for this use.

With that I would like to introduce representatives of the company to further explain a little bit about their operations, their company and what brings them to this decision here in Pleasant Prairie. And if you could give your name and address for the record. Thank you.

Mike Pokel:

Good evening. My name is Mike Pokel. I'm with Midwest Refrigerated Services. I'm the President of the Company. And Dan Quinn who is our Vice President of Operations.

Tom Terwall:

For the record just give us your address, would you please?

Mike Pokel:

My home address, sir?

Tom Terwall:

No, your business address.

Mike Pokel:

Business address would be our corporate offices are located at 305 Scott Drive, Clinton, Wisconsin. So first of all my apologies for our tardiness today. We got caught up in the traffic in Milwaukee, and there was a small detour to get into your facility. Good signage, though. But we appreciate the opportunity to speak with you today.

And just a little bit about our company. Ms. Harris did a real nice job of explaining it. We're a Wisconsin based company, third generation family business. We company wide employ about 300 people. We have I think seven facilities that we operate out of the State of Wisconsin. We have another half a dozen facilities that we own and lease to companies generally distribution centers linked to food processing plants. We also have a transportation component to our business that's based out of Milwaukee. So a local company, small but growing.

And the thing that I'd add is the warehouses that we're moving out of that are currently in the Pleasant Prairie market, at least one of them depending on our business growth, we might still continue to lease. That's yet to be determined. But we have some new business coming on line that might require more space. So this facility here will allow us to consolidate our existing business and provide some growth for them. I will mention that it's not just cranberry sauce, jelly and packaged Craisins. That will be the bulk of it. The juices, Ocean Spray, certainly is one of our largest customers. We have some other customers as well, and are marketing for additional business generally along the food line is what we specialize in. I'd be happy to answer any questions.

Tom Terwall:

Can you tell us where your other two locations are in Pleasant Prairie?

Mike Pokel:

Sure. We have one on 88th Avenue, do you know the address, Dan?

Dan Quinn:

11780. It's a block up and across the street.

Jean Werbie-Harris:

It's the former Cherry building.

Tom Terwall:

That's what I was wondering.

Mike Pokel:

And then we lease the back half of the Jelly Belly building, 100,000 square foot there, and then one in Northern Illinois.

Tom Terwall:

Thank you.

Michael Serpe:

You're leasing this building, though, right, the new one?

Mike Pokel:

Excuse me?

Michael Serpe:

Are you leasing the new one or is it owned?

Mike Pokel:

It is not owned at this time.

Michael Serpe:

Are you leasing it or are you going to buy it?

Mike Pokel:

We're negotiating with them to potentially buy it.

Tom Terwall:

I understand you plan to stay in the old Cherry building or are you going to vacate?

Mike Pokel:

We're under lease for another year at least, a year and three or four months. So we have that amount of time to determine whether we're going to need that facility for additional business or whether we can consolidate into the new building and won't need that anymore. So yet to be determined.

Tom Terwall:

Thank you. I'll open it up to comments and questions here. You're available to answer questions, correct?

Mike Pokel:

Yes, sir.

Tom Terwall:

Anything from the staff or Commissioners?

Michael Serpe:

I would move approval of the site and operational plan.

Wayne Koessl:

I'll second, Chairman.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY WAYNE KOESSL TO APPROVE A 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? Welcome.

Mike Pokel:

Thank you very much.

7. ADJOURN.

John Braig:

So moved.

Judy Juliana:

Second.

Tom Terwall:

Moved and second to adjourn. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? We are adjourned.

Meeting Adjourned: 5:26 p.m.

- A. **TABLED PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN** for the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for two (2) proposed multi-tenant retail buildings on the property generally located at the southeast corner of STH 50 (75th Street) and 94th Avenue within the Prairie Ridge development.

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 May 26, 2015.

VILLAGE STAFF REPORT OF MAY 26, 2015

CONSIDERATION OF A CONCEPTUAL PLAN for the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for two (2) proposed multi-tenant retail buildings on the property generally located at the southeast corner of STH 50 (75th Street) and 94th Avenue within the Prairie Ridge development.

Outlot 21 Conceptual Plan (“The Bulls-Eye” development):

The petitioner is requesting approval of a Conceptual Plan for the development of the 2.01 acre site located at the southeast corner of STH 50 and 94th Avenue (Outlot 21 of Prairie Ridge Subdivision). The Conceptual Plan indicates two (2) retail/restaurant buildings.

Outlot 21 is proposed to be subdivided by a future Certified Survey Map (CSM) into two (2) parcels as shown on the draft CSM. Lot 1 is proposed to be 1.042 acres and Lot 2 is proposed to be 0.969 acre. The proposed restaurant/retail building on Lot 1 is proposed to be 6,280 square feet and will likely be utilized by two (2) tenants. The proposed restaurant/retail building on Lot 2 is proposed to be 7,370 square feet and will likely be utilized by three (3) tenants. The buildings have no direct driveway access from STH 50 or 94th Avenue and will have a single access shared driveway on 76th Street with cross access through the adjacent property.

Outlot 21: Proposed uses

Lot 1

Retail A – 4,000 square feet

Restaurant B – 2,250 square feet with fenced outdoor seating

Lot 2

Restaurant C – 2,400 square feet

Office D – 2,400 square feet

Restaurant E – 2,400 square feet with a drive thru and fenced outdoor seating

Master Conceptual Plan for Outlot 21 (a/k/a The Bulls-Eye) and Outlot 20:

In order to fully evaluate the infrastructure and traffic impacts of the Outlot 21 development with the adjacent vacant land (Outlot 20) to the east and their impact on the adjacent 76th Street and 91st and 94th Avenue roadways and Costco development to the south, an overall Master Conceptual Plan was prepared. The Master Conceptual Plan depicts future development patterns, setbacks, cross access, parking, drive-through stacking areas, curb and gutter/landscaping areas and the two 76th Street access driveways for both Outlots 21 and 20. (See **attached** Master Conceptual Plan for both Outlots 21 and 20.)

As shown on the Master Conceptual Plan, it is anticipated that Outlot 20 is also proposed to be subdivided by CSM into two (2) properties so that a multi-tenant retail/restaurant building and another restaurant can be built.

The development of Outlots 21 and 20 show shared driveway access, cross access and aisle ways, parking and driveways between the future sites. Two (2) driveway access points to the Outlots are provided for the four (4) proposed buildings to/from 76th Street. The first driveway access would be placed about 103 feet east of the Costco entrance on 76th Street aligning along the common lot line between Outlots 21 and 20 and a second driveway access would be about 350 feet west of 91st Avenue. Due to the potential uses proposed and to accommodate the drive-thru facilities, the most efficient and safest alignment of the driveways was along the common lot lines allowing for the traffic to enter the site and flow

towards the back of the sites before turning towards their destination. The Zoning Ordinance requires separation spacing between driveways on non-arterial roadways of 105 feet and 103 feet is proposed as measured from driveway centerline to centerline.

Outlot 20: Proposed uses

Building 1 – Multi-tenant retail - 8,130 square feet

Restaurant with a drive thru and fenced outdoor seating - 4,200 square foot

Building 2 – Restaurant - 8,794 square feet

Zoning PUD Amendments:

The properties (Outlot 21 and 20) are 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.

A separate PUD text amendment will be required for the development of the two (2) properties on Outlot 21 since the lot size will be less than 2 acres. The community benefits proposed in consideration of the PUD lot size reduction, along with other PUD modifications as discussed below will include the requirement that both buildings constructed on Outlot 21 be fully provided with fire sprinklers, will comply with Section 420 of the Village Municipal Code related to the installation of a Digital Security Imaging System (DSIS) and will have enhanced architectural design features and landscaping.

Because The Bulls-Eye project is being planned and constructed as a unified business development, Outlot 21 would require the following PUD modifications from the Zoning Ordinance including:

- To reduce the lot size from 2 acres per lot to: Lot 1 – 1.042 acres and Lot 2 – 0.969 acre;
- To reduce the open space from 30% to 24%;
- To reduce the street setback from 40 feet to 31 feet (prior to additional right-of-way being needed for future widening of 94th Avenue);
- To reduce the side setback between Outlots 20 and 21 to 27 feet rather than a 30 foot setback;
- To allow a zero foot setback from the interior lot lines (between Lots 20 and 21) instead of the require 10 foot setback to allow for a shared access;
- To allow for a 15 foot setback of the parking lot (maneuvering lane) from the 76th Street where a 20 foot setback is required;
- To allow for reduced side lot line setbacks from 10 feet to 5 feet for the Primary Monument signs. The Primary Monument signs are required to be setback a minimum of 10 feet (maximum sign height) from the side property line and at least 5 feet will be required due to the 5 foot landscaping area required around the signs. The maximum size of the Primary Monument signs abutting STH 50 shall be 10 feet in height from grade (no berming allowed) and 130 square feet in area;
- To allow for spacing separation for the driveways on 76th Street to be reduced from 105 feet to 103 feet as measured from center line to center line; and
- To allow for a possible modification for the square footage for building wall signage – needs to be further evaluated.

Buildings Architecture:

The building architecture will need some modifications to the materials, architectural elements, fencing and other details to be further discussed with the developer. The Staff conditions of approval address the items to be modified.

Parking:

There are no users to be announced at this time; however, when specific users and tenants are identified, the detailed Site and Operational Plans will be required to be submitted for the development of each lot and the building size and parking ratios will be further evaluated to ensure compliance with the Village regulations. The following are minimum parking requirements for retail uses and restaurant uses:

- Restaurant requires a minimum of one (1) space for each 100 square feet of floor area plus one (1) space for every two (2) employees on the largest work shift.
- Retail store requires a minimum of one (1) space for each 200 feet of primary floor area plus one (1) space for every two (2) employees.
- Medical and dental offices require a minimum five (5) spaces for every doctor plus one (1) space for every employee.

In addition, these minimum parking spaces, plus the required handicapped accessible parking spaces as required by the State Code shall also be provided.

The Conceptual Plan indicates 109 parking spaces (including five (5) handicapped accessible spaces). Plan Sheet C-3 – The Parking Calculations in the Site Data Table verify that the parking count for the site is deficient. The total number of parking spaces required is 125, plus 5 handicapped accessible parking spaces or 130 spaces that are needed. In addition to the end parking lot landscaped islands, the required parking lot landscaped islands are missing – one is required per each 25 parking spaces which will also eliminate two parking spaces. Also, the placement of the Fire & Rescue Department connection will likely require the elimination of 1-2 parking spaces.

The total number of parking spaces provided is 109 spaces. There is not enough parking being provided on the site. There needs to be a reduction in leasable space or a deed restriction which limits the site as to the type of uses to two restaurant uses instead of three. The proposed restaurant uses generate a higher number of parking spaces that are required. The Village will not allow parking on 91st or 94th Avenues or 76th Street.

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to conditionally approve the **Conceptual Plan** 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 developer will be required to submit applications and required documents for the following approvals: Site and Operational Plan, Conditional Use Permit (for drive-thru), Certified Survey Map and Zoning Map Amendment (to create a specific PUD for the development of Outlot 21).
2. The Conceptual Plans were reviewed for compliance with generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all State and local codes, ordinances, and procedures. Modifications to the plans, etc. may be required should

errors or changed conditions be found at a future date and detailed engineering plans are prepared and reviewed. **The following changes shall be made and three (3) copies of the revised Conceptual Plan and a pdf shall be submitted for final staff review and approval. (A meeting with the Village staff in person shall be held at the Village Hall to discuss the changes prior to the submittal).**

- a. The total number of parking spaces is inadequate for the site. A total of 130 spaces are required (includes handicapped accessible parking spaces) and only 109 spaces are being provided. The amount of leasable space must be reduced or one of the restaurant sites should be eliminated so that there is adequate parking being provided.
- b. It appears as though the plans depict a fence symbol around the each of the outdoor dining areas, but it is difficult to determine. Place note on the plans that decorative (wrought iron or aluminum) black fencing shall be installed around each of the outdoor dining areas. Verify that if the restaurant use sells alcohol this is an approved barrier to the public. Provide a detail of the proposed fencing around the each of the outdoor dining areas. In addition, attractive bollards shall be placed around the perimeter of the seating areas to prevent vehicles from inadvertently hitting the patio or store fronts.
- c. It will be very difficult for a vehicle to back out of the parking space located at the extreme southwest corner of the parking lot. The spaces in this area shall be designated for longer term parking possibly for the employees.
- d. Private sidewalk connections, extending from 76th Street and 91st Avenue public sidewalk shall be extended to accommodate the walking public to the restaurant buildings in the development.
- e. The conceptual Landscaping Plan shall be submitted for review. Parking lot islands – one per each 25 spaces are missing on the site plan. (This will reduce the number of parking spaces. The landscaping sizes and number of plantings shall be significantly greater than the minimums required by Ordinance to be considered a community benefit per the PUD.
- f. It appears that the front sheet of each of the Perspective, Elevation and Floor Plan drawings are mislabeled in that pursuant to the CSM, the 2-tenant building should be labeled (Lot 1) and the 3-tenant building should be labeled (Lot 2). Please correct.
- g. All downspouts shall be directly interconnected to the private underground storm water system. Show on the plans.
- h. The curbed island for the restaurant drive-thru lane shall be extended to the north to a line across from the patio seating area.
- i. Delineate/show the closest measurement on the site plan for the building setback to 94th Avenue from the future right-of-way.
- j. The Building Elevations Plans need to indicate the roof materials proposed on the tower elements. The plans shall be modified as standing seam metal roofing will not be permitted.
- k. The Lot 2 Architectural Building Elevations need to dimension the height of the building at the highest point of the highest tower element (similar to what was done for the Lot 1 Elevations).
- l. All buildings shall be fully protected with fire sprinklers.

- m. The buildings/site shall comply with requirements of a privately owned DSIS which complies with the Village Security Ordinance.
- n. Cultured stone and brick shall be incorporated into the building architecture rather than banding the buildings with concrete block at the bottom.
- o. Modify the entry perspective for Lot 2 at the location for the dining area as it does not conform to the overall building design and needs additional architectural detailing. The black canopies shall be consistent in design as the other canopies. Provide sample materials and colors – the colors do not seem to match. The end tenant space roof shall be similar in style as the other elements not a flat roof. Attractive ornamental black fencing shall be provided around seating areas with black bollards at the corners and midway to prevent cars from entering the area.
- p. No roof mounted vents or HVAC units shall be visible to the public's view.
- q. Are the windows faux windows on the tower element?
- r. The maximum height of the monument sign shall be 10 feet from grade not 15'9". The complete address ____ 76th Street shall be provided on the sign. The property will have a Pleasant Prairie mailing address. One sign is shown – is only one sign being provided or are there two signs one with two tenants and one with three tenants? The Village will not permit two identical signs with the exact same message.
- s. A plan shall be provided which identifies the signage areas on the building. All signage shall be consistent with respect to how it is mounted and the maximum size areas. (No raceways are allowed for mounting signage).
- t. No curb or wheel stops will be allowed - raised sidewalks shall be used for car bumpers.
- u. All parking lot signage shall utilize attractive black ornamental poles for all signage, including handicapped accessible signage. No channel poles for any site signs.
- v. Show the location and sizing of the address numerals.
- w. The fire connection detail as shown needs to be approved by the Fire Chief as it may not be accessible in its shown location/orientation.
- x. The same bronze framing shall be used for all windows and entryways.
- y. On the Topographic Survey (Sheet C-2), provide an easement over the existing sidewalk along 76th Street encroaching onto the property.
- z. The following changes shall be made on the Erosion Control Plan (Sheet C-4):
 - i. Show the existing inlets located along the south curb line on 76th Street and provide inlet protection on those inlets.
 - ii. Move removal notes for the existing tree and curb and gutter to the driveway location. Add a note to remove existing sidewalk.
 - iii. Add a general note that Village curb and gutter and sidewalk must be removed to the nearest joint.
 - iv. Show erosion mat on disturbed areas to the north and east of the parking lots.
 - v. Add a detail or note for erosion mat installation.

- aa. The following changes shall be made on the Pavement Grading Plan (Sheet C-5):
 - i. Label 30" curb and gutter at the driveway entrance and revise the curb and gutter note located in the pavement specifications to state that 30" curb and gutter is to be installed at the driveway entrance. Add a detail for the driveway entrance construction. In the detail show installing two (2) No.4 (1/2-inch), 18-inch long tie bars, evenly spaced, driven 9-inches into the existing curb and gutter at the connection points.
 - ii. Show proposed contours.
 - iii. Remove concrete fill pattern on the existing sidewalk around the site. Only show new sidewalk with the fill pattern.
 - iv. Note on the plan that the Contractor must contact the Village Public Works Department (Steve Wlahovich; 262-925-6767) to schedule inspections for replacement of the curb and gutter along 76th Street.
 - v. Add curb and gutter radii.
 - vi. Identify that sidewalk curb shall be shown adjacent to the buildings -- no curb stops will be allowed.
 - vii. Identify curb tapers.
- bb. The following changes shall be made on the Site Utility Plan (Sheet C-6):
 - i. Revise the first note in the sanitary sewer and water main specifications to provide notice to the Village of Pleasant Prairie Public Works department.
 - ii. Revise the ninth note in the sanitary sewer and water main specifications to match the updated Village of Pleasant Prairie hydrant detail. The note should include the required factory installed Storz connection.
 - iii. Leader for HYD 2.0 and FDC 2.0 are indicating the incorrect items. They need to be flipped.
 - iv. Verify size of water stub 2.0 and 3.0. The FDC line is 4" on the plans.
- cc. The following changes shall be made to the Storm Sewer Plan (Sheet C-7)
 - i. C/O 1.0 should be replaced with a manhole.
 - ii. MH 3.0 and 4.0 should be inlets or catch basins.
 - iii. The catch basin detail does not match the storm sewer specifications note.
- dd. On the Pavement Marking and Signage Plan (Sheet C-8) include sign legend.
- ee. On the Typical Sections and Construction Details (Sheet C-9) add max longitudinal slope for the curb ramps of 1:12 on.
- ff. On the Typical Sections and Construction Details (Sheet C-11) replace the standard hydrant detail with the **attached**.
- gg. The estimate of the amount of import or export of fill needed for the site grading shall be provided.
- hh. Provide calculations and a storm drainage area map to the Village for review of the storm sewer sizing.

3. Compliance with the **attached** memorandum from the Fire & Rescue Department dated May 20, 2015. In addition, when specific development plans are submitted detailed and more specific comments will be provided by all Village Departments as part of the required Site and Operational Plans.
4. The CSM shall show existing easements and restrictions that will remain on the properties that were previously shown on the original Prairie Ridge Plat. In addition the CSM shall show the location and associated Sidewalk Easement where the public sidewalk encroaches into the property adjacent to 76th Street. Show Costco Wholesale driveway on the south side of 76th Street. Additional comments forthcoming related to the draft CSM.
5. Cross-Access Easements shall be shown on the CSM and will be required to be dedicated and recorded for the shared driveways between lots/parcels. Submit all easement documents to the Village for review and approval prior to recording. A separate Cross Access easement document shall be prepared and recorded which details the specific requirements, maintenance and ownership responsibilities for the parking, driveways and access.
6. The future development of the lots and structures shall comply with the ordinances in effect at the time of construction. In addition, detailed Site and Operational Plans are required to be submitted for review and approval prior to any development pursuant to Article IX of the Village Zoning Ordinance. Also, depending on the use proposed, the occupants may require a Conditional Use Permit along with Site and Operational Plan approval from the Plan Commission and may require approval of special licenses by the Village. Note: a drive thru will require a Conditional Use Permit.
7. Building architectural designs, elevations and sample materials will be required to be approved by the Plan Commission as part of the detailed Site and Operational Plans.
8. At the time that each lot is proposed to be developed for commercial purposes, detailed landscaping plans will be required to be submitted and reviewed. All landscaped areas will be required to be irrigated with a sprinkler system. The base map for these landscape plans shall include the approved grading plan. In addition, the location of all pedestals and transformers and proposed screening shall be shown on the Site and Operational Plans required for each development site.
9. There shall be no parking of any vehicles on 91st and 94th Avenues or 76th Street.
10. Replace/install, prune, stake, place mulch beds all missing street trees.
11. Landscaping and parking lot islands will be required pursuant to the Village Ordinance requirements. In particular, landscaping between parking areas and roadways shall comply with Section 420-57 J (2) (d) of the Village Zoning Ordinance that states "*Parking lots associated with manufacturing, business or institutional uses shall be screened from public rights-of-way and/or residential zoning districts located within 50 feet of such parking lots; such screening shall be installed in close proximity to the parking lot and shall be 75% opaque to a height of at least four (4) feet above the grade of the nearest edge of such parking lot within three (3) years of installation and may consist of shrubs and trees, an appropriately landscaped undulating berm...*".
12. Each Lot is required to have a primary monument sign. Secondary entrance signs (entry monument signs) at the shared access locations may be allowed. All signage shall conform to the provisions of the PUD Ordinance and all general requirements of

the Village Sign Ordinance (Chapter 420 Article X) unless specifically allowed in the PUD.

13. All commercial buildings will be required to install a sanitary sewer sampling manhole. The location and details shall be shown on the Site and Operational Plans required for each site. Contact the Village Engineer to confirm an approved location.
14. All easements shall be shown on the required Site and Operational Plans submitted for review and approval as each lot is proposed to be developed.
15. Details of the dumpster enclosures shall be provided on the required Site and Operational Plans for the development of each lot. The dumpster enclosures shall be constructed of the same brick, block or stone materials as the building and be attached to the building. Detached garbage enclosures are not allowed. A wooden fence enclosure is not allowed. Sample materials, doors and paint colors of the dumpster enclosures shall be submitted for review and approval.
16. Details (cut sheet details) of the proposed exterior lighting on the building, in the parking areas shall be provided with each detained Site and Operational Plan. In addition, provide a photometric plan to ensure proper lighting levels at the property boundaries as required by Article IX of the Village Zoning Ordinance. (This is a unified business developed – the lighting color, height, and style shall be the same or very similar for the commercial sites). Concrete bases shall not exceed 18 inches above grade and shall be located in landscape island areas,
17. 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.
18. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.
19. 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).
20. All required landscaping and screening for the buildings and signage shall be installed prior to occupancy of any building. A written letter 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.
21. 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.

22. Prior to written occupancy of any building and associated site improvements three (3) copies of an as-built plan, stamped by a Wisconsin Registered Land Surveyor shall be submitted to the Village to verify that required building, above ground structures and 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 approved Site and Operational Plans shall be submitted.
23. Prior to written occupancy of any building an as-built record drawing of graphical data of all private sewer, water, and storm sewer facilities and underground irrigation systems installed 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.
24. 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.
25. Real Estate Marketing Signs and/or Temporary Development Signs are permitted only by permit pursuant to the requirements of Article X of Chapter 420.
26. At no time shall any site within the development be used to sell or advertise any vehicles that are "for sale".
27. No vehicular parking will be permitted in driveways, maneuvering lanes, fire lanes or on landscaped areas.
28. 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.
29. 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.
30. There shall be no outdoor storage or display of materials, goods or equipment on any site, within the Development unless as approved by the Village.
31. 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.
32. No trucks, trailers or cars shall be parked in a manner that would constitute advertising for the business on the properties.
33. No sign walkers – persons with costumes or signs strapped, hung, affixed or over their clothes shall walk the properties or public right-of-ways for extended periods of time advertising the businesses, sales or special offers of the service or retail businesses.

34. 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.
35. Municipal connection fees shall be paid prior to the connections of each building to the sanitary sewer system.
36. 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.
37. 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.
38. 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.
39. During construction, the contractors will be required to park on-site or make arrangements for other off-site parking.



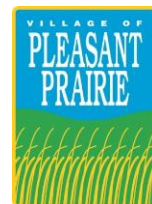
VILLAGE STAFF MEMORANDUM

TO: Jean Werbie-Harris, Community Development Director
FROM: Doug McElmury, Chief Fire & Rescue Department
CC: Deputy Chief, Craig Roepke
Lt. Thomas Clark, Fire & Rescue Department
Peggy Herrick, Assistant Planner, Community Development
SUBJECT: Review of the Conceptual Plan for Outlot 21, Multi-tenant Retail
DATE: 20 May 2015

This is a review of the updated Conceptual Plan for Outlot 21, Multi-tenant Retail dated 5-7-15. Two proposed buildings with a square footage of 6,280 S.F. and 7,370 S.F, and is located at 76th Street and 94th Avenue.

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

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



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

- The conceptual plan only indicates one entrance serving the two buildings. The Fire and Rescue Department requires two entrances for emergency response purposes.
- West building pumper pad placement. Need to assure better access to this location. May need to eliminate one-two parking spaces.
- AED. Owner shall install one public access Automatic External Defibrillator (AED) onsite for employee or customer use in the event of a sudden cardiac arrest, in each building in any assembly tenant area. The Fire and Rescue Department can provide the training necessary to perform CPR and to operate the AED.
- Fire Alarm Control Panel: The main FACP will be placed in the fire sprinkler riser rooms. Remote annunciator panel location(s) will need to be determined.
- Knox Boxes shall be recessed in the building. Knox boxes shall be provided at the main entrances and at the sprinkler riser rooms.
- All outside doors shall have a lock and handle for access from the outside of the structure.
- Need to install the approved fire department connections, Pumper Pads.
- Incoming combination water main must be sized by a Wisconsin Licensed Fire Sprinkler Designer.
- Fire safety system plans, such as fire sprinkler and fire alarm plans, will need to be submitted to the State of Wisconsin Department of Safety and Professional Services and also to this fire department for review. No installation of any fire protection system is allowed until a satisfactory review is obtained from both departments.
- Fire hydrants: Hydrants shall always be visible and accessible, in particular in any area where trailer trucks will be parked or staged. Hydrants must be placed no further than 350 feet apart as measured by normal access routes used by Fire and Rescue Department apparatus. Current Village hydrant specifications must be used.
- Severe Weather Shelter: The architect shall identify the area within the building that can be used as a "severe weather shelter" or "safe haven" during severe weather such as a tornado. That area will be identified with signage.
- Monument signs must have street address on them.
- All canopies must comply with the adopted International Building Code, including the height requirements.

- All outdoor patio areas shall be protected from vehicles by bollards

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

A. Site and Operational Permits

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

B. Conditional Use and Operational

- | | |
|--------------------------------|--------------------------------|
| 1. Fire alarm pull stations | Not shown at this time. |
| 2. Emergency and Exit Lighting | Not shown at this time. |
| 4. Fire extinguishers | Not shown at this time. |

5. **Plan Review, Permits and Fees:** The plans for the fire protection underground, aboveground and fire alarm system shall be submitted for review a minimum of four (4) weeks before installation is scheduled to begin. The Village will use an independent fire safety consultant for review of all fire protection plans submitted. Permit fees must be submitted to the Fire and Rescue Department before any reviews begin. A satisfactory review must be completed before any permits will be issued and before construction can begin.
6. **Insurance Carrier:** The Owner of this project shall submit to the insurance carrier for review the plans for both underground water distribution and fire protection prior to construction. The Fire & Rescue Department shall receive a copy of the comments when plans are submitted for review.
7. **The following information must be submitted with the sprinkler plans for review:**
Building height:
Number of stories/floors:
Mezzanines:
Clear space:
Elevators:
Hazard class:
Commodity:
Maximum storage height:
Square footage, office space:
Exterior storage:
Fire protection:

8. **The following Fees and Permits are generated directly from the Fire & Rescue Department.**

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

Bulk Water

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

Permit fees must be paid at time of submission for review. Work cannot begin until all permits have been issued. A typical review turnaround is four weeks.

9. **Required Licenses:** A Wisconsin licensed fire protection contractor and Wisconsin licensed sprinkler fitters must install underground fire mains and aboveground fire protection. Periodic inspections of the job site will be made by fire inspectors to assure compliance.

10. **Pre-Construction Meeting:** A pre-construction meeting shall take place with the general contractor, the fire protection contractor, the Fire and Rescue Department and any other sub-contractor prior to the installation of any underground fire protection. The purpose of this meeting is to assure that the requirements of the State of Wisconsin that only a Wisconsin licensed sprinkler fitter shall perform the installation of all devices, etc. All parties will be asked to initial this document and or permit. Any violation of the installing requirements will be reported in writing to the State of Wisconsin Department of Safety and Professional Services.

11. **Site Access:** Access shall be provided around the perimeter of the site for all Fire Department apparatus, and must comply with the State of Wisconsin and the International Building Code, 2009 edition. A minimum wall-to-wall turning radius of 45'-0" shall be allowed for apparatus movement.

- a. All exterior exit pathways as well as access to the Fire Sprinkler Room shall have a hard surface, leading to a hard surface.

12. **Sprinkler System:** The building shall be equipped with an "automatic fire sprinkler system". The systems shall be designed and constructed to the current edition of NFPA 13, Automatic Fire Sprinklers and the Village of Pleasant Prairie Ordinance 180-16, Automatic Fire Sprinklers. Fire sprinkler protection is also indicated on the submitted plans.

13. **Water Service:** If it is determined that the building will be serviced by a combination municipal water and fire protection main, that main must be sized by the fire protection (sprinkler) contractor. No main is allowed to travel underground, under the building.

14. **Plan Review (Underground):** A review of the underground drawings is required along with the fire protection drawings before a permit will be issued by the Fire & Rescue Department. Underground plans shall be submitted a minimum of four (4) weeks before installation begins.
15. **Fire Hydrants:** Fire hydrants shall be spaced no more than 350 feet apart around the perimeter of the buildings, per Village Ordinance 180-16. The insurance carrier must agree in writing to the hydrant spacing. As many hydrants as possible shall be supplied directly by municipal water. The distance from the finished grade line to the lowest discharge shall be no less than 18 inches and no more than 23 inches. The Fire Department connections shall be located, and of sufficient height where typical snow fall or snow removal operations will not obstruct access.
16. **Fire Hydrant Acceptance:** This project will include the installation of water mains for domestic and fire protection use. Prior to the fire sprinkler system connection to any new water mains (including water mains, fire hydrants, laterals leading to the building and risers) must be hydrostatically tested flushed according to National Fire Protection Association (NFPA–National Fire Code) Standard 24 and witnessed by the Fire Chief and or the Chief’s representative, the installing contractor and the fire sprinkler contractor at a minimum.
17. Fire hydrant and water main flushing can be disruptive to the job site and requires significant coordination of all sub-contractors by the General Contractor. Nonetheless flushing is an essential part of assuring public safety.
18. The General Contractor is highly encouraged to coordinate the flushing of all new water mains, fire hydrants, laterals leading to the building and risers with both the sub-contractors responsible, the Village of Pleasant Prairie Engineering Department, Fire & Rescue Department and the Water Utility Department, prior to seeking a ‘clean water sample’ on this site.
19. **Pumper Pad:** There shall be dedicated space for a fire engine to have unobstructed access to the Pumper Pad. Both the Fire Department Sprinkler connection and the fire hydrant shall be installed remote from the building and located a minimum distance from the building equal to the highest wall. The fire hydrant shall be located no more than five (5) feet from the roadway and the Fire Department sprinkler connection shall be placed no more than five (5) feet from the fire hydrant. The Fire Department connection shall be constructed along with an underground drain with access for inspection. A guideline detail is attached and is meant to illustrate the requirements needed to meet the requirements stated in Village Ordinance 180-16.

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

20. **Bollards:** Shall be placed near fire hydrants, remote post indicator valves (PIV) and Fire Department connection(s) to prevent damage. Bollards shall be 6 inches in diameter. Bollards shall not obstruct charged fire hoses. It is recommended that the Fire Department approve the location of the bollard(s) before final placement is made.
21. **Strobe Light:** A strobe light shall be provided for each riser and installed vertically above each sprinkler water flow bell. The strobe light shall operate for a sprinkler water flow. The lens color shall be RED. The strobe light shall meet Village specifications as found in section 180-16 K of the Sprinkler Ordinance.
22. **Fire Alarm System: The system shall be fully addressable so that detailed information will be received about the device in alarm.** Utilizing a fire pull station, sprinkler water flow, or any other fire detection device that maybe installed in this building shall activate the internal fire alarm system.
- a. **Manual Fire Alarm Pull Stations:** Shall be located at a minimum, immediately adjacent to each exterior door. Any additional exterior doors will be required to meet this requirement. The pull station shall not be placed in the area of the door, but immediately adjacent to the door jamb.
 - b. **Pull Stations and Audiovisual Alarms:** Shall be installed per ADA requirements.
 - c. **Smoke and Heat Detection:** Shall be installed as required.
 - d. **Tamper Switches:** Tamper switches shall be placed on all sprinkler valves and be identified on the annunciator panel.
 - e. **Fire Alarm Control Panel: Shall be addressable.** The annunciator panel type shall be approved by the Fire & Rescue Department. The Fire Alarm Control Panel shall be located within the Fire Pump Room. The panel shall identify a fire sprinkler water flow by riser, and the specific locations of the fire alarm pull stations and any other fire detection devices that may be installed in this building.
 - f. **Annunciator Panel: Shall be addressable.** The annunciator panel type shall be approved by the Fire and Rescue Department. The panel shall identify a fire sprinkler water flow by riser, and the specific locations of the fire alarm pull stations and any other fire detection devices that may be installed in this building.
 - g. **Transmission of Fire Alarms.** The method of transmission to central station must be approved by the Fire and Rescue Department. i.e. Phone line, RF Radio and /or Cellular technologies.
 - h. **Central Station:** The Fire Alarm Control Panel shall transmit all fire alarm, tamper, trouble and supervisory signals to a central station that is certified by Underwriters Laboratories (UL) and/or Factory Mutual (FM) and approved by the Fire & Rescue Department. The owner shall provide such documentation for approval. It is recommended that the owner consult with the Fire & Rescue Department prior to signing any contracts with the Central station.
 - 1) The central station shall be provided with this information regarding the geographical location of this alarm:

Village of Pleasant Prairie, County of Kenosha, State of Wisconsin	
Fire:	Pleasant Prairie Fire & Rescue
Medical:	Pleasant Prairie Fire & Rescue

Phone numbers:

Emergency: (262) 694-1402

Non-emergency: (262) 694-7105

Business: (262) 694-8027

23. **Knox Box:** Knox Boxes shall be provided for the buildings. One by main entrance door, and one at the door nearest the fire riser room. The Knox Boxes shall be Model 4400, and the recessed type. Two sets of all keys (Master, fire alarm pull station, annunciator, elevator, etc.) shall be placed within the box, as well as a copy of the pre-fire plan.
24. **MSDS Knox Box:** A minimum of One (1) Knox Box(s) designed for Material Safety Data Sheet storage shall be provided for each tenant to contain the data sheets on all products that are considered hazardous within the facility. The MSDS Box(s) shall be installed within the riser Room.
25. **Fire Extinguishers:** Shall meet NFPA 10 (Portable Fire Extinguishers) for the specific use of the building and be in sufficient number. Final approval, of fire extinguisher locations and quantity, will not be given until occupancy is taken, to see how a tenant furnishes the space. The company providing the fire extinguishers shall submit a letter to the Fire and Rescue Department stating the locations and size of the extinguishers are in compliance with NFPA 10.
26. **Emergency and Exit Lighting:** Exit and Emergency Lighting shall be provided and shall have battery backup. Combination units are acceptable and recommended. An Emergency Generator eliminates the need for battery backup. Exit and Emergency Lighting shall not be placed on electrical circuits that cannot be disturbed or interrupted, this is for test purposes. These circuits shall be clearly labeled. An Emergency light shall be placed within the fire sprinkler riser room.
27. **Final Inspection:** The General Contractor shall provide the following documentation at the time the Final Inspection takes place and before a building occupancy certificate will be issued.
 - a. The fire protection contractor shall provide the owner with a letter (upon completion of the sprinkler work) stating the sprinkler system, or portion thereof, is "100% operational and built according to the design", Village Ordinance, 180-16 N.
 - b. Copy of contract with fire alarm central monitoring station.
 - c. Copy of UL and/or FM certificate(s) for the fire alarm central monitoring station.
 - d. Copies of the fire protection underground flushing documents.
 - e. Copies of the underground and fire sprinkler hydrostatic test certificates.
 - f. Copies of the fire sprinkler operational test certificates.
 - g. Copies of the fire alarm test documents.
 - h. Copies of other test documents such as, hood/duct, smoke, etc...
 - i. Copies of all underground and above ground tank documents.
 - j. The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.

- k. Provide two- (2) CD's, one for the property owner and one for the Fire & Rescue Department. The disks shall include all Floor plans and fire protection plans for the building in an as-built condition.
 - l. Severe Weather Shelter: The architect shall provide for both the Owner and the Fire & Rescue Department the area within the building that can be used as a "severe weather shelter" or "safe haven" during severe weather such as a tornado.
 - m. Maps of the fire alarm and fire sprinkler system shall be placed in the fire pump room, near the fire alarm control panel; the maps shall be hung on the wall, with a waterproof covering and accessible to firefighters wearing bulky clothes and equipment.
 - n. AED, in place at time of occupancy.
 - o. A copy of the Emergency Plan must be submitted to the Fire and Rescue Department before occupancy.
28. Occupancy inspection fee and re-inspection fee will be assessed at the final inspection in accordance with ordinance 180-17.
29. **Occupancy:** All fire and life safety requirements must be in place prior to any building being occupied.



Filed 4/6 2015 Published 4/27 2015
Public Hearing 5/11 2015 5/4 2015
Fee Paid 4/6 2015 Approved _____ 20____
Notices Mailed 4/23 2015 Denied _____ 20____

**VILLAGE OF PLEASANT PRAIRIE
CONCEPTUAL PLAN APPLICATION**

1. Development Name: Outlot 21 - Multi-Tenant Retail
2. General Location of Development: SE Corner STH 50 & 94th Avenue
3. Tax Parcel Number(s): 91-4-122-081-0210
4. Number of Lots: 1 Number of Outlots: 0
5. Size of Development: 2.011 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: SB1 Pleasant Prairie WI, LLC
Signature: [Handwritten Signature]
Address: C/O Starwood CPTL GRP M Carlin
591 W Putnam, Greenwich, CT, 06830
(City) (State) (Zip)
Phone: 312-759-5020
Fax: N/A
Date: April 3, 2015

OWNER'S AGENT:

Print Name: Mark D. Eberle, P.E. / Nielsen Madsen Barber
Signature: [Handwritten Signature]
Address: 1458 Horizon Blvd. STE. 200
Racine, WI, 53406
(City) (State) (Zip)
Phone: 262-634-5588
Fax: 262-634-5024
Date: April 2, 2015



Nielsen Madsen & Barber S.C.
Civil Engineers and Land Surveyors

April 6, 2015

Ms. Jean Werbie - Harris
Village of Pleasant Prairie
9915 – 39th Avenue
Pleasant Prairie, WI 53158

RE: Outlot 21 Multi-Tenant Retail Project
Planned Unit Development (PUD) Amendment
File No. 2015.0011.01

RECEIVED

APR 06 2015

PLEASANT PRAIRIE

Dear Jean:

Oldacre McDonald, LLC., developer of the above-referenced project, is hereby requesting an amendment to the current Planned Unit Development (PUD) overlay on Outlot 21 to accommodate the proposed two (2) building, five (5) unit multi-tenant retail development as shown on the attached conceptual plan.

As part of this amendment, they are requesting the following "Dimensional Variances" from the Chapter 420-48 "Parking Lot and Circulation Requirements" and Chapter 420-119 "B-2 Community Business District" of the Village Code of Ordinances:

- 1) Chapter 420-119 I.1. (B-2 Community Business District / Lot Size) to allow for 1.04 and 0.97 acre lots in lieu of the required 2.0 acre minimum.
 - Reason for Variance: To allow for the creation of two (2) separate parcels containing one (1) multi-tenant building each. This two (2) building scenario allows for multiple "end-cap" units which are highly desirable for restaurant type uses.
- 2) Chapter 420-119 I.1. (B-2 Community Business District / Open Space) to allow for twenty-four percent (24%) open space in lieu of the required thirty percent (30%).

Chapter 420-119 I.4.c.1. (B-2 Community Business District / Building Street Yard Setback) to allow for a thirty-one foot (31') street yard setback to 94th Avenue in lieu of the required forty feet (40').

Chapter 420-119 I.4.c.2. (B-2 Community Business District / Building Side Yard Setback) to allow for a twenty-seven foot (27') side yard setback between Outlots 20 and 21 in lieu of the required thirty feet (30').



Ms. Jean Werbie - Harris
Outlot 21 – Multi-tenant Retail Development
Planned Unit Development (PUD) Amendment
April 6, 2015
Page 2

Chapter 420-48 L.1.d.1. (Parking Lot and Circulation Requirements) to allow a zero foot (0') setback from the interior lot line (between Outlots 20 and 21) in lieu of the required ten feet (10') to allow for a 24' wide internal access drive to serve both lots.

Chapter 420-48 L.1.a. (Parking Lot and Circulation Requirements) to allow a fifteen foot (15') setback from the North right-of-way line of 76th Street in lieu of the required twenty feet (20').

Chapter 420-48 K. (Parking Lot and Circulation Requirements) to allow for cross parking between the two (2) developments.

- To allow for an internal shared access drive between the developments on Outlots 20 and 21 as well as adequate ingress, egress and internal traffic circulation lanes, sufficient onsite parking counts and landscaped islands and the required emergency vehicle maneuverability.

In recognition of the requested dimensional variances, the developer is proposing to provide the following enhancements:

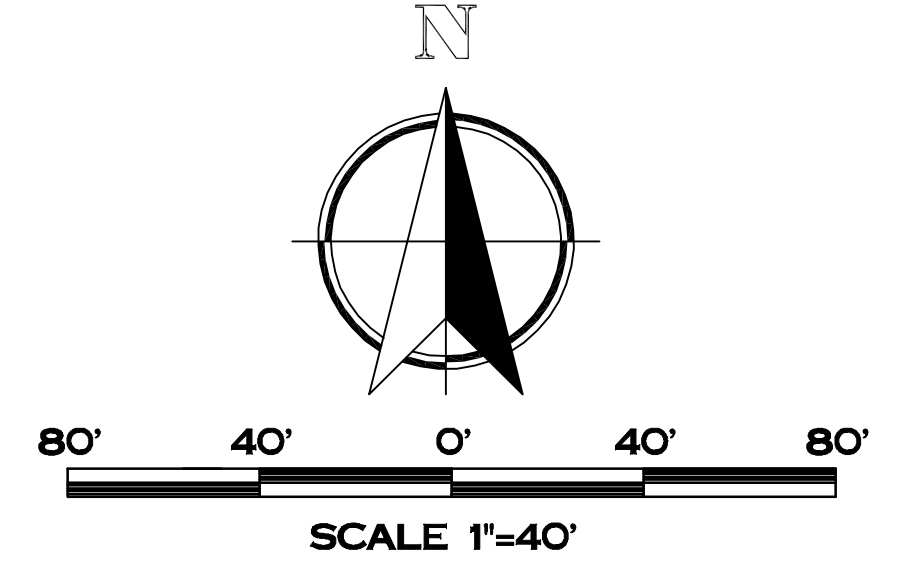
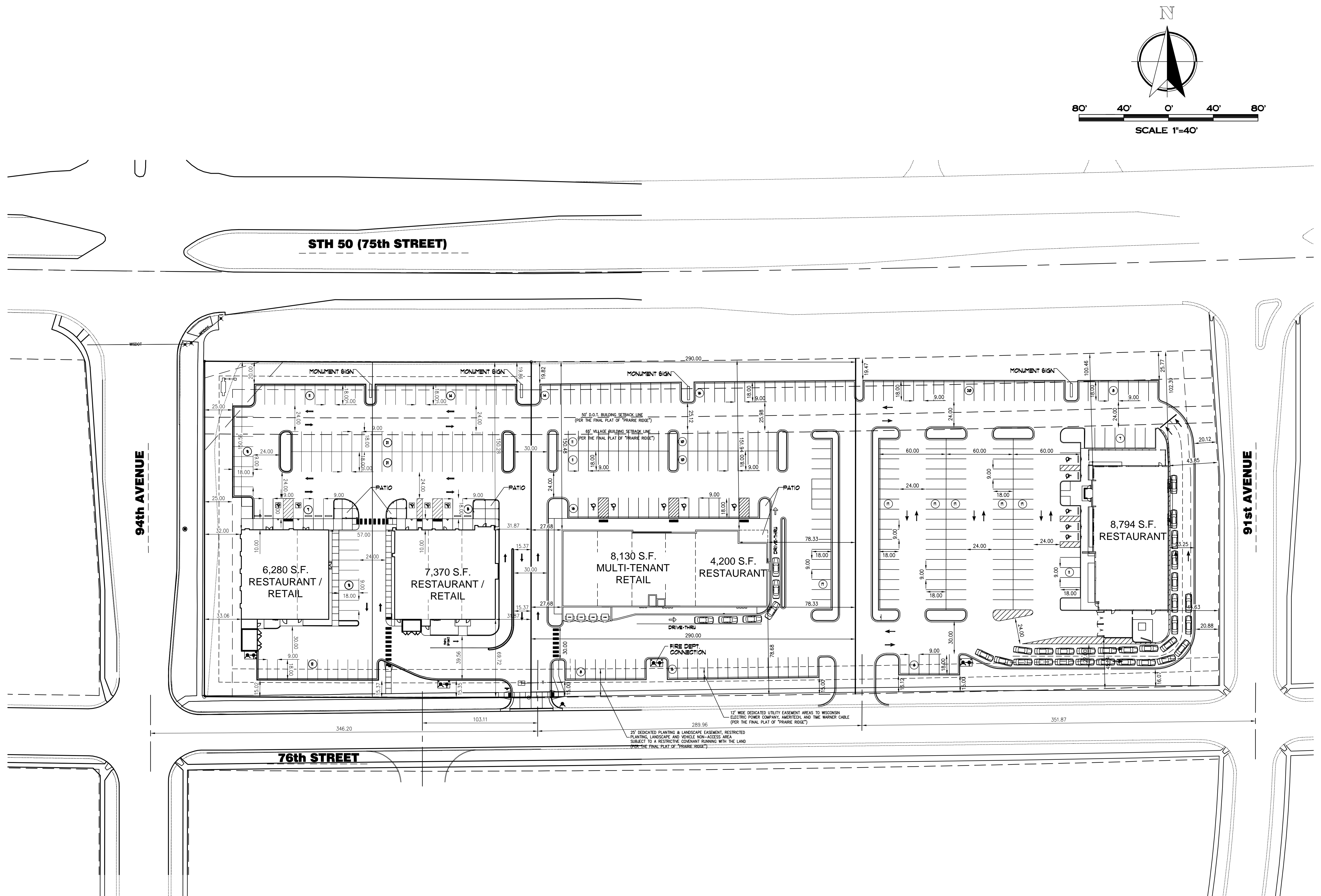
- 1) An External Digital Imaging Security System (DSIS).
- 2) Internal Fire Protection System (in each building).
- 3) Enhanced Architectural Design Elements.

If you have any questions or comments, please contact me at your earliest convenience.

Sincerely,

Mark D. Eberle, P.E.

MDE/kmw
Enclosure



Nielsen Madsen & Barber S.C.
 Civil Engineers and Land Surveyors
 1458 Horizon Blvd, Suite 200, Racine, WI. 53406
 Tele: (262)634-5588 Fax: (262)634-5024
 Website www.nmbasc.net

OUTLOT 20 & 21
RESTAURANT / RETAIL / OFFICE
MASTER CONCEPTUAL PLAN
 VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY WISCONSIN

NO.	REVISION	BY	DATE

PROJ. MGR: MDE
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 DATE: 5-7-2015
 CHECKED: MDE
 DATE: 5-15-2015

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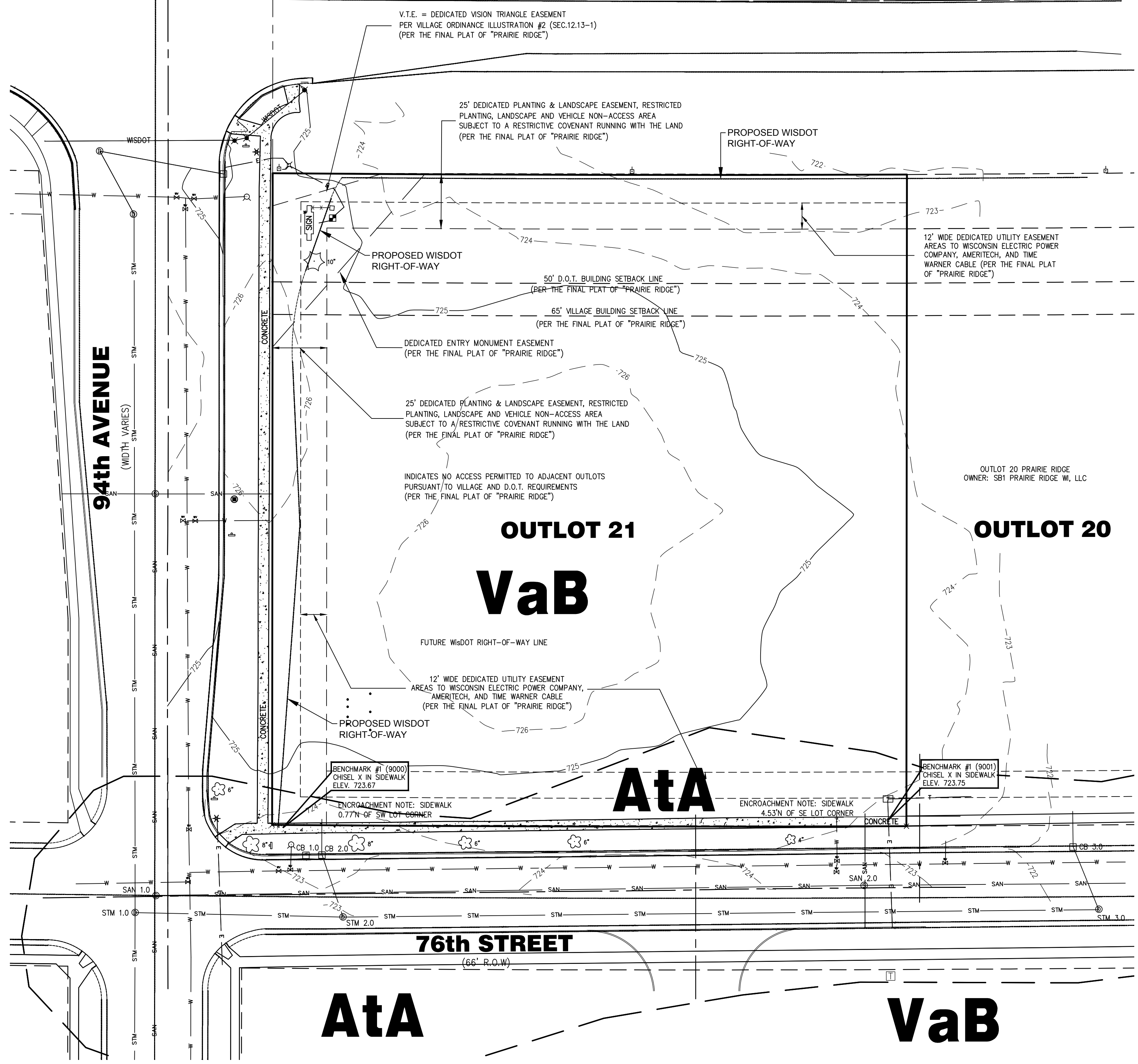
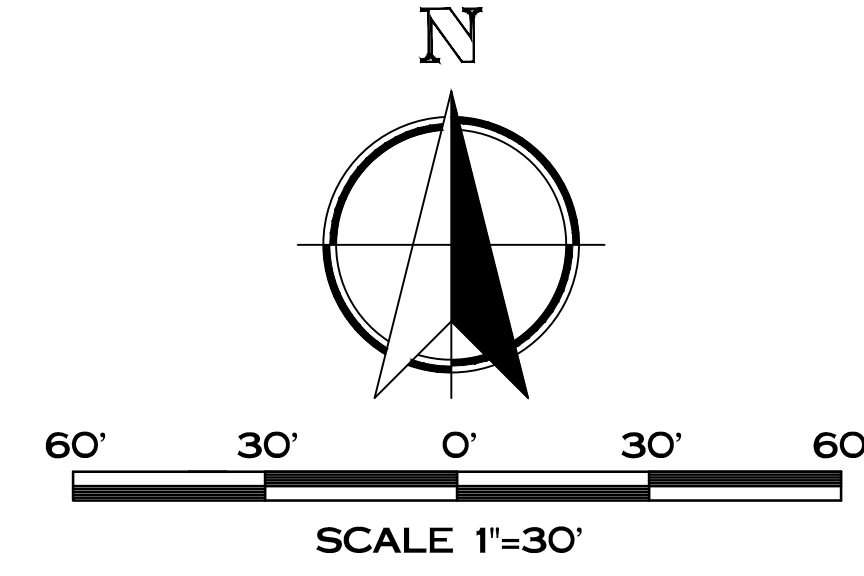
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 Website www.nmbcsc.net

**OUTLOT 21 MULTI-TENANT RETAIL
 EXISTING CONDITIONS
 TOPOGRAPHIC SURVEY**
 FOR
OLDACRE MCDONALD, LLC
 VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY WISCONSIN

N 1/4 8-1-22 NE CORNER 8-1-22
STH 50 (75th STREET)
 (WIDTH VARIES)



EXISTING UTILITY DATA

STM 1.0 RIM 723.11 I.E. 36" E 716.46	CB 1 RIM 722.37 I.E. 12" E 719.02	SAN 1.0 RIM 724.11 I.E. 8" 713.96
STM 2.0 RIM 722.94 I.E. 36" E&W 716.79	CB 2 RIM 722.45 I.E. 15" W 718.85	SAN 2.0 RIM 723.40 I.E. 8" 711.95
STM 3.0 RIM 721.58 I.E. 36" W 714.93	CB 3 RIM 721.46 I.E. 15" SE 718.16	SAN 3.0 RIM 723.40 I.E. 8" 711.95

SOILS / GROUND COVER DATA

Existing Ground Cover - Unmowed Meadow

Existing Site Soils

- Varna Silt Loam (VaB) - 1.85 Acres
- Ashkun Silty Clay Loam (AtA) - 0.16 Acres

LEGAL DESCRIPTION

OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

TAX ID No. 91-4-122-081-0210

SITE ADDRESS: 76th STREET

BEARING BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE. BASED UPON NAD 1927.

ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.

LEGEND:

- ⊙ STORM MANHOLE
- CATCH BASIN
- STM — STORM SEWER
- ⊙ LIGHT POLE
- ⊙ SIGNAL LIGHT
- ⊙ SANITARY MANHOLE
- SAN — SANITARY SEWER
- ⊙ HYDRANT
- ⊙ WATER VALVE
- W — WATER MAIN
- ⊙ ELECTRIC PEDESTAL
- ⊙ ELECTRIC METER
- ⊙ POWER POLE
- ⊙ TELEPHONE PEDESTAL
- T — TELEPHONE LINE
- ⊙ DECIDUOUS TREE
- ⊙ CONIFEROUS TREE
- ⊙ SIGN
- X — FENCE
- ⊙ FOUND IRON PIPE
- ⊙ SET 5/8" REBAR
- ⊙ MISC. MANHOLE
- ⊙ CUT CROSS

UTILITY NOTE

THE EXACT LOCATION OF UNDERGROUND STRUCTURES OR FACILITIES SHOWN ON THE PLANS ARE BASED ON AVAILABLE RECORDS AT THE TIME OF PREPARATION AND ARE NOT GUARANTEED TO BE COMPLETE OR CORRECT. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITIES 72 HOURS PRIOR TO CONSTRUCTION TO DETERMINE THE EXACT LOCATION OF ALL FACILITIES AND TO PROVIDE ADEQUATE PROTECTION DURING THE COURSE OF THE WORK.

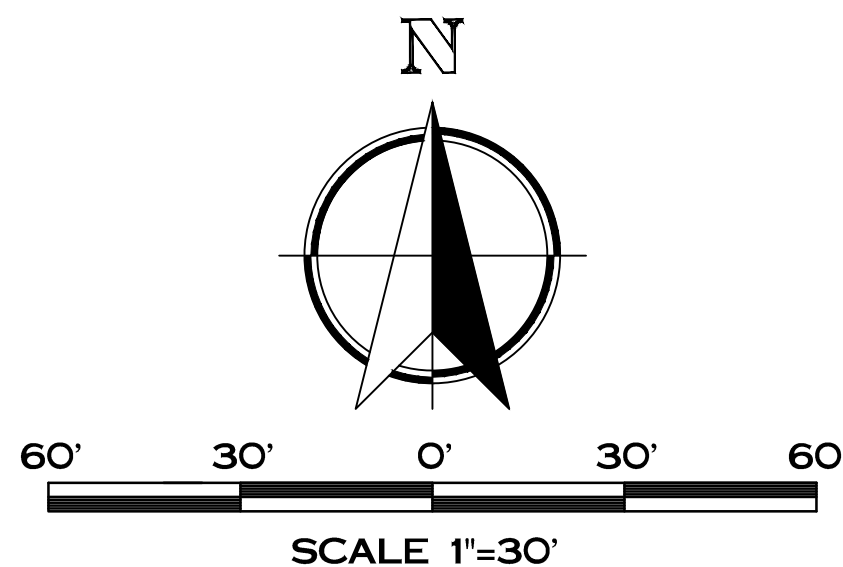
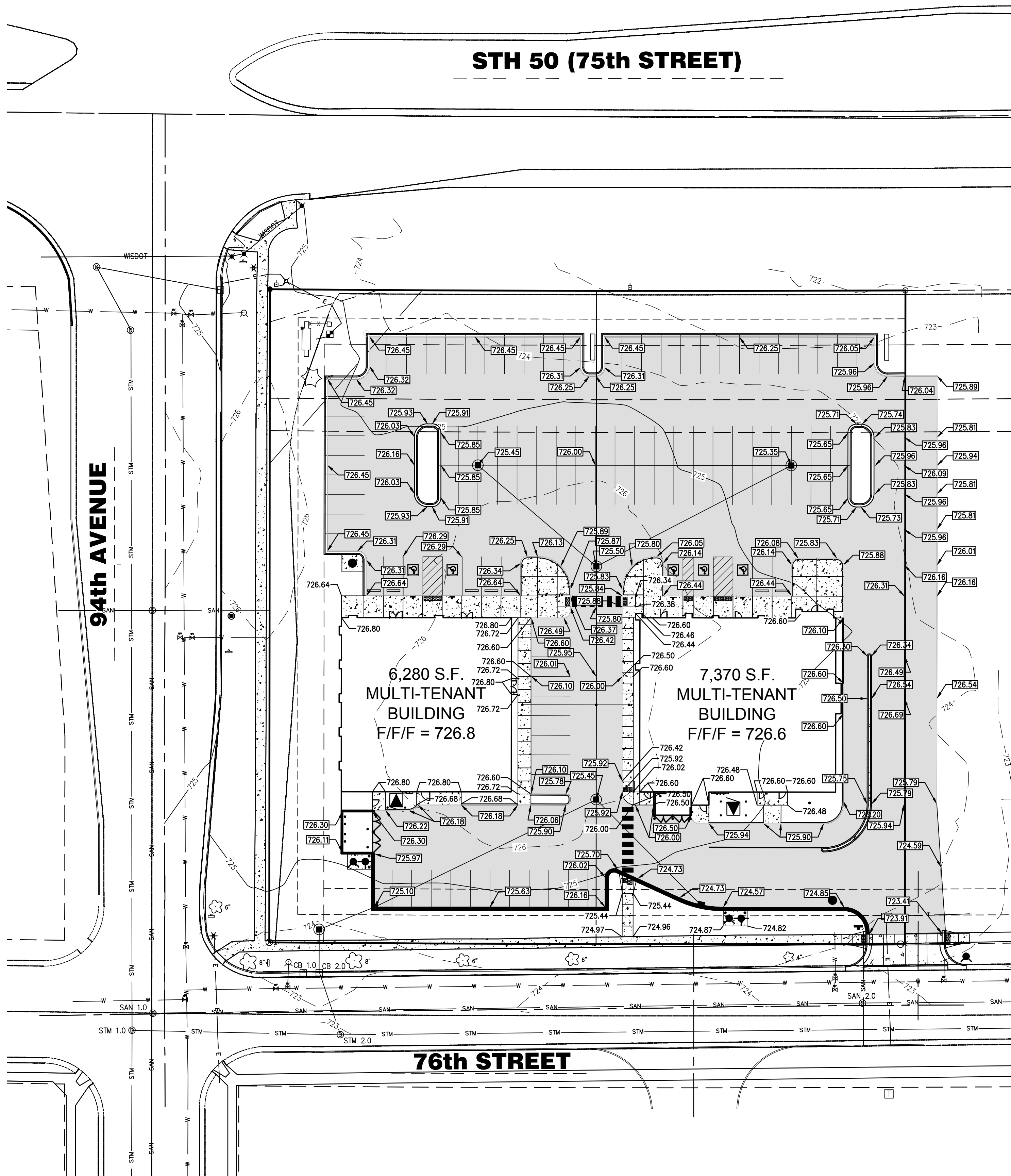


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 DATE: 4-6-2015
 CHECKED: _____ MDE
 DATE: 4-6-2015

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REFERENCES

ANY OR ALL OF THE FOLLOWING REFERENCE DOCUMENTS THAT ARE APPLICABLE TO THE PROPOSED ITEMS OF WORK ARE INCLUDED IN THIS CONTRACT:

STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, 2015 EDITION, HEREIN REFERRED TO AS "STATE SPECIFICATIONS." THE CURRENT VERSION OF THE "STATE SPECIFICATIONS" IS AVAILABLE ON THE WisDOT WEBSITE AT <http://roadwaystandards.dot.wi.gov/standards/standspec/index.htm>

"MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD), 2009 EDITION WITH REVISIONS 1 AND 2 INCORPORATED.

CHAPTER 405 OF THE VILLAGE OF PLEASANT PRAIRIE MUNICIPAL CODE "PUBLIC IMPROVEMENT PROJECTS", DATED DECEMBER 20, 2004, INCLUDED HEREIN AND REFERRED TO AS THE "VILLAGE SPECIFICATIONS."

ALL EROSION CONTROL, EARTHWORK, SITE GRADING, BASES, PAVEMENTS AND INCIDENTAL CONSTRUCTION ITEMS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE "STATE SPECIFICATIONS" AND THE "VILLAGE SPECIFICATIONS".

- * WHENEVER THE "STATE SPECIFICATIONS" AND THE "VILLAGE SPECIFICATIONS" DIFFER, THE "VILLAGE SPECIFICATIONS" SHALL GOVERN.
- * WHENEVER THE "STATE SPECIFICATIONS", "VILLAGE SPECIFICATIONS" OR CONSTRUCTION PLANS DIFFER, THE "VILLAGE SPECIFICATIONS" SHALL GOVERN.

GENERAL NOTES

CONTRACTOR SHALL CONTACT DIGGER'S HOTLINE A MINIMUM OF 72 HOURS BEFORE THE START OF CONSTRUCTION TO IDENTIFY ANY UNDERGROUND UTILITIES PRESENT AT THE SITE. THE LOCATION OF EXISTING PRIVATE UTILITIES MAY NOT BE SHOWN ON THE PLANS AND SHOULD BE LOCATED BY THE OWNER PRIOR TO CONSTRUCTION.

ANY AND ALL EXISTING SIDEWALKS, CURBS OR PAVEMENTS DISTURBED DURING CONSTRUCTION SHALL BE SAWCUT AT THE NEAREST JOINT AND REPLACED IN KIND PER THE "VILLAGE SPECIFICATIONS".

AT THE COMPLETION OF THE PROJECT THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL ABANDONED, EXCESS, WASTE, STOCKPILED AND SPOIL MATERIAL IN ACCORDANCE WITH SECTION 205.3.12 OF THE "STATE SPECIFICATIONS". THIS WORK SHALL BE DONE AT THE CONTRACTOR'S EXPENSE.

SITE GRADING & SUB-GRADE PREPARATION

ALL EXISTING TOPSOIL AND OTHER NON-STRUCTURAL MATERIAL WITHIN THE PROPOSED BUILDING PADS, PAVEMENT SECTIONS AND STRUCTURAL FILL AREAS SHALL BE STRIPPED AND STOCKPILED AT THE LOCATION SHOWN OR AS DIRECTED BY THE OWNER.

EXCAVATE, GRADE AND SHAPE SUBGRADE TO THE LINES AND GRADES SHOWN ON THE PLANS. SEE TYPICAL SECTIONS FOR PAVEMENT THICKNESS AND MATERIALS.

FOR STRUCTURAL FILL DEPTHS LESS THAN 20 FEET, THE DENSITY OF THE STRUCTURAL COMPACTED FILL AND SCARIFIED SUBGRADE AND GRADES SHALL NOT BE LESS THAN 95 PERCENT OF THE MAXIMUM DRY DENSITY AS DETERMINED BY STANDARD PROCTOR (ASTM D-698) WITH THE EXCEPTION OF THE TOP 12 INCHES OF PAVEMENT SUBGRADE WHICH SHALL HAVE A MINIMUM IN-SITU DENSITY OF 100 PERCENT OF MAXIMUM DRY DENSITY, OR 5 PERCENT HIGHER THAN UNDERLYING FILL MATERIALS.

THE MOISTURE CONTENT OF COHESIVE SOIL SHALL NOT VARY BY MORE THAN -1 TO +3 PERCENT AND GRANULAR SOIL ±3 PERCENT OF THE OPTIMUM WHEN PLACED AND COMPACTED OR RECOMPACTED, UNLESS SPECIFICALLY RECOMMENDED / APPROVED BY THE SOILS ENGINEER MONITORING THE PLACEMENT AND COMPACTION. COHESIVE SOILS WITH MODERATE TO HIGH EXPANSIVE POTENTIALS (PI>15) SHOULD, HOWEVER, BE PLACED, COMPACTED AND MAINTAINED PRIOR TO CONSTRUCTION AT A MOISTURE CONTENT OF 3±1 PERCENT ABOVE OPTIMUM MOISTURE CONTENT TO LIMIT FUTURE HEAVE.

THE FILL SHALL BE PLACED IN LAYERS WITH A MAXIMUM LOOSE THICKNESS OF 9 INCHES. THE COMPACTION EQUIPMENT SHOULD CONSIST OF SUITABLE MECHANICAL EQUIPMENT SPECIFICALLY DESIGNED FOR SOIL COMPACTION. BULLDOZERS OR SIMILAR TRACKED VEHICLES ARE TYPICALLY NOT SUITABLE FOR COMPACTION.

UPON COMPLETION OF THE GRADING AND COMPACTION OF THE SUBGRADE, A PROOF ROLL SHALL BE CONDUCTED BY THE CONTRACTOR ON ALL SUBGRADES THAT RECEIVE DENSE AGGREGATE BASE COURSE. THE CONTRACTOR SHALL PROVIDE A FULLY LOADED QUAD-AXLE TRUCK (18 TON MINIMUM LOAD) TO PERFORM THE PROOF ROLL. CONTRACTOR SHALL COORDINATE THE PROOF ROLL WITH THE OWNER OR HIS REPRESENTATIVES.

TEMPORARY SEEDING IS REQUIRED FOR ALL STOCKPILES AND OTHER EXPOSED LAND AREAS IF NOT ACTIVELY WORKED WITHIN 30 DAYS. AT THE COMPLETION OF THE PAVEMENT WORK, RE-SPREAD SALVAGED TOPSOIL OR IMPORT TOPSOIL AS NECESSARY TO PROVIDE A MINIMUM SIX-INCH (6") LAYER IN ALL LANDSCAPE AND LAWN AREAS. ALL DISTURBED AREAS SHALL BE RESTORED PER THE LANDSCAPE PLAN.

ANY TOPSOIL MATERIAL NOT BEING USED FOR THE PROJECT SHALL BE TRUCKED OFF-SITE AND NOT STOCKPILED ON ANY ADJACENT LOT(S).

PAVEMENT SPECIFICATIONS

DENSE AGGREGATE BASE COURSE SHALL MEET THE REQUIREMENTS OF SECTION 305 OF THE "STATE SPECIFICATIONS". THE COMPLETED BASE SHALL BE IN ACCORDANCE WITH THE "TYPICAL SECTIONS & CONSTRUCTION DETAILS" SHEET(S) OF THE PLAN SET AND SHALL BE CONSTRUCTED IN FOUR-INCH (4") LIFTS AND COMPACTED ACCORDING TO SUBSECTION 305.3.2.2 OF THE "STATE SPECIFICATIONS".

ASPHALTIC CONCRETE PAVEMENT SHALL BE WISDOT TYPE E-0.3 MEETING THE REQUIREMENTS OF SECTION 460 OF THE "STATE SPECIFICATIONS". PAVEMENT SHALL BE INSTALLED IN TWO (2) LIFTS IN ACCORDANCE WITH THE "TYPICAL SECTIONS & CONSTRUCTION DETAILS" SHEET(S) OF THE PLAN SET. A TACK COAT SHALL BE INSTALLED BETWEEN THE LOWER AND UPPER COURSES IN ACCORDANCE WITH SECTION 455.3.2 OF THE "STATE SPECIFICATIONS".

CONCRETE FOR SIDEWALKS, CURB & GUTTER AND DRIVEWAY APRONS SHALL BE GRADE A-FA, AIR-ENTRAINED, AS SPECIFIED IN SUBSECTION 501.3.1 OF THE "STATE SPECIFICATIONS". ALL EXTERIOR CONCRETE SHALL BE "READY-MIXED" AND RECEIVE A BROOM FINISH. ALL CONCRETE WORK SHALL BE CURED IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION 415.2.4 OF THE "STATE SPECIFICATIONS".

CONCRETE SIDEWALKS SHALL BE FIVE INCHES (5") IN THICKNESS ON FIVE INCHES (5") OF DENSE AGGREGATE BASE COURSE AND BE CONSTRUCTED IN ACCORDANCE WITH THE "TYPICAL SECTIONS & CONSTRUCTION DETAILS" SHEET(S) OF THE PLAN SET.

CONCRETE PAVEMENT (TRASH ENCLOSURE / APRON) SHALL BE EIGHT INCHES (8") IN THICKNESS ON SIX INCHES (6") OF DENSE AGGREGATE BASE COURSE IN ACCORDANCE WITH THE "TYPICAL SECTIONS & CONSTRUCTION DETAILS" SHEET(S) OF THE PLAN SET.

ALL CONCRETE CURB AND GUTTER SHALL BE 18" VERTICAL FACE CONCRETE CURB CONFORMING TO THE "TYPICAL SECTIONS & CONSTRUCTION DETAILS" SHEET(S) OF THE PLAN SET AND SECTION 601 OF THE "STATE SPECIFICATIONS". ALL CURB & GUTTER SHALL BE "REVERSE PAN CURB" OR "STANDARD CURB" AS INDICATED BY THE LEGEND BELOW AND INSTALLED IN A MANNER TO SHED ALL STORM WATER RUNOFF TOWARDS THE DRAINAGE STRUCTURES.

- 18" VERTICAL FACE (REVERSE PAN) CONCRETE CURB & GUTTER
- 18" VERTICAL FACE CONCRETE CURB & GUTTER

CONTRACTOR JOINTS SHALL BE AT TEN-FOOT (10') INTERVALS FOR CURB AND GUTTER AND FIVE-FOOT (5') INTERVALS FOR FIVE-FOOT (5') WIDE SIDEWALK.

EXPANSION JOINTS SHALL BE PLACED AS OUTLINED IN SUBSECTION 601.3.6 OF THE "STATE SPECIFICATIONS". FILLER MATERIAL FOR EXPANSION JOINTS SHALL BE 1/2" FIBER MATERIAL.

CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT ALL UTILITY COVERS (SUCH AS MANHOLES, VALVE BOXES, ETC.) TO MATCH THE FINISHED GRADES OF THE AREA AFFECTED BY THE CONSTRUCTION.

PARKING LOT STRIPING, STOP BARS / WORDS, CROSSWALKS AND HANDICAPPED ACCESSIBLE SYMBOLS SHALL BE INSTALLED WITH WISCONSIN DOT APPROVED TRAFFIC PAINT (WHITE) IN ACCORDANCE WITH SECTION 646 OF THE "STATE SPECIFICATIONS". ALL PARKING STALL STRIPING SHALL BE FOUR INCHES (4") IN WIDTH AND SHALL BE INSTALLED AT THE LOCATIONS SHOWN ON THE PLANS OR AS DIRECTED BY THE OWNER. SEE THE TYPICAL SECTIONS AND CONSTRUCTION DETAILS SHEET(S) OF THE PLAN SET FOR ADDITIONAL INFORMATION ABOUT THE STOP BAR AND CROSSWALK MARKINGS.

PAVEMENT GRADING LEGEND

- CONCRETE PAVEMENT
- CONCRETE SIDEWALK
- ASPHALT PAVEMENT
- DETECTABLE WARNING FIELD
- 804.85 FINISHED ASPHALT GRADES
- 804.85 FINISHED SIDEWALK GRADES
- 704.35 FINISHED YARD GRADES
- 692 — EXISTING CONTOURS
- 702 — PROPOSED CONTOURS



Nielsen Madsen & Barber S.C.
Civil Engineers and Land Surveyors
1458 Horizon Blvd., Suite 200, Racine, WI. 53406
Tel: (262)634-5588 Fax: (262)634-5024
Website www.nmbssc.net

OUTLOT 21 MULTI-TENANT RETAIL PAVEMENT GRADING PLAN FOR OLDACRE MCDONALD, LLC
VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY WISCONSIN

NO.	REVISION	BY	DATE

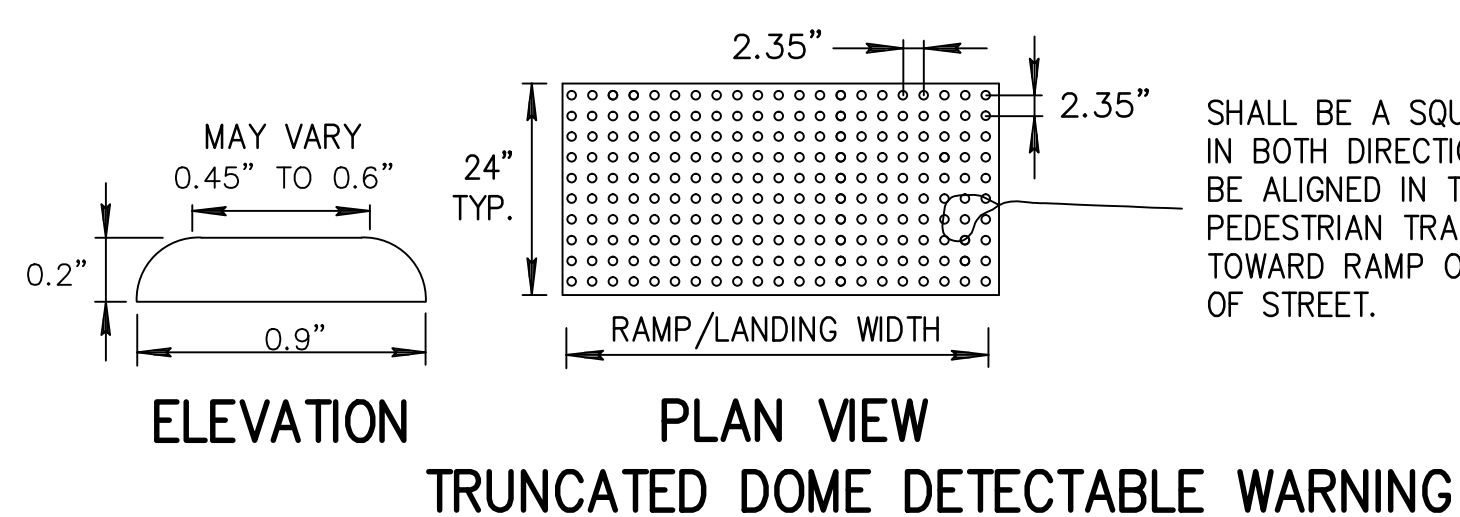
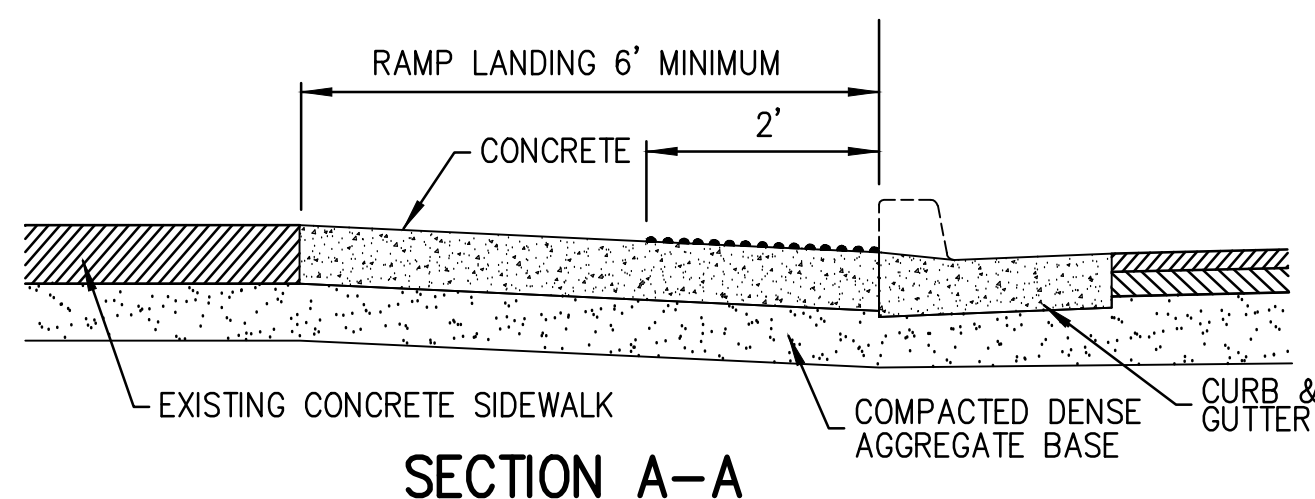
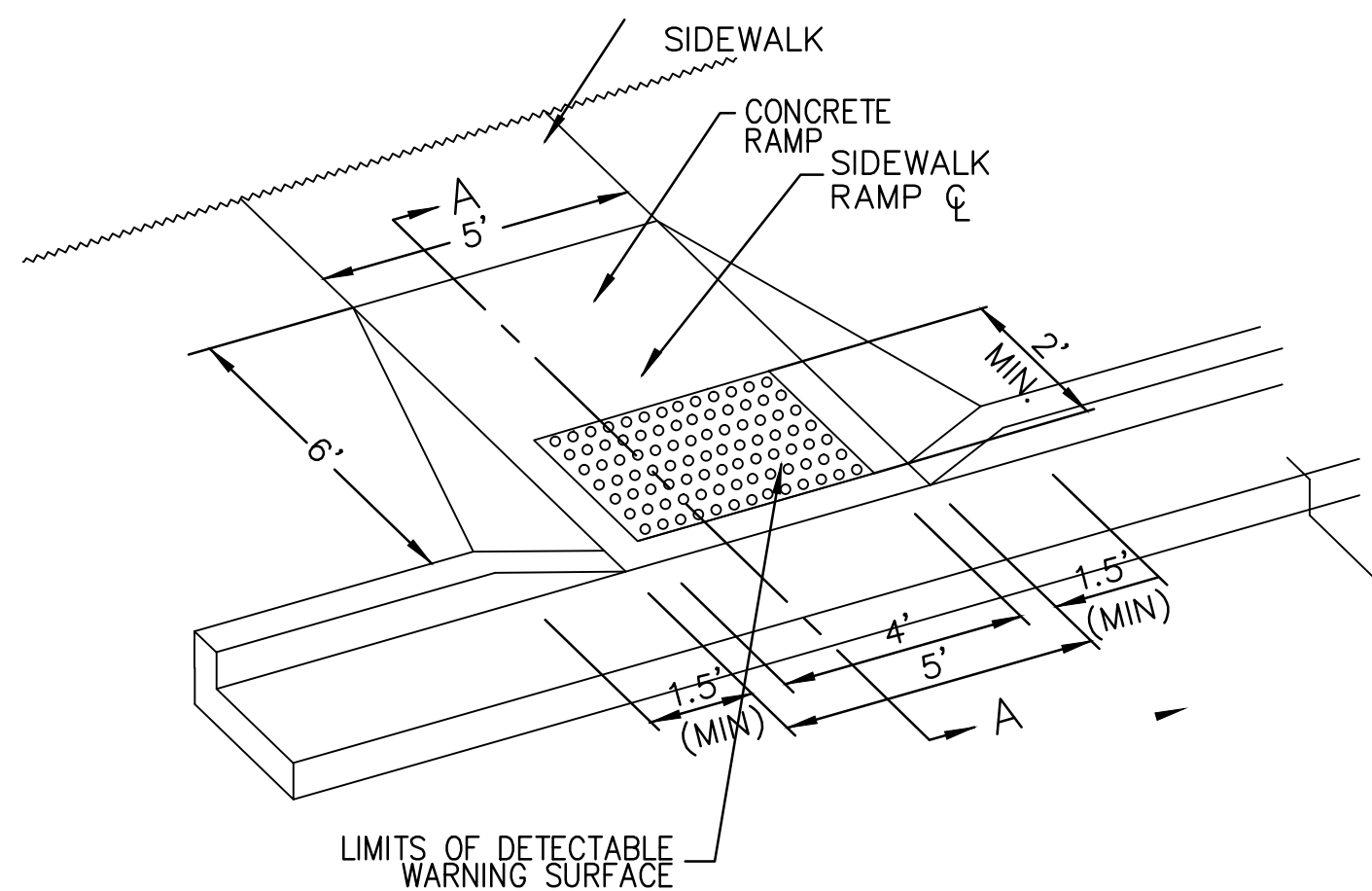
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NOTES

- THIS WORK WILL CONSIST OF FURNISHING ALL MATERIAL, EQUIPMENT AND LABOR NECESSARY FOR THE PLACEMENT OF DETECTABLE WARNING DEVICES, COMPLETE AND READY FOR SERVICE AT ALL NEW SIDEWALK CURB RAMPS.
- THE DEVICES SHALL COMPLY WITH THE DETECTABLE WARNINGS ON WALKING SURFACES SECTION OF THE AMERICANS WITH DISABILITIES ACT (TITLE 49 CFR TRANSPORTATION, PART 37.9 STANDARDS FOR ACCESSIBLE TRANSPORTATION FACILITIES, APPENDIX A, SECTION 4.29.2 DETECTABLE WARNINGS ON WALKING SURFACES.)
- DETECTABLE WARNING SURFACES SHALL EXTEND 24 INCHES (610 MM) MINIMUM IN THE DIRECTION OF TRAVEL AND THE FULL WIDTH OF THE CURB RAMP FLUSH SURFACE (GENERALLY 48 INCHES WIDE).
 - THE DETECTABLE WARNING SURFACE SHALL BE LOCATED SO THAT THE EDGE NEAREST THE CURB OR EDGE OF PAVEMENT IS 6 INCHES (150 MM) MINIMUM AND 8 INCHES (205 MM) MAXIMUM FROM THE BACK OF THE CURB OR EDGE OF PAVEMENT.
 - DOMES SHALL BE ALIGNED ON A SQUARED GRID, ALIGNED IN ROWS PARALLEL AND PERPENDICULAR TO THE PREDOMINANT DIRECTION OF TRAVEL. DOMES MUST NOT BE SKEWED DIAGONALLY TO THE DIRECT OF TRAVEL.
- AVAILABLE MANUFACTURERS: SUBJECT TO COMPLIANCE WITH REQUIREMENTS, MANUFACTURERS OFFERING PROJECTS THAT MAY BE INCORPORATED IN THE WORK INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:
 - "METAPANEL" MANUFACTURED BY METADOME, LLC OR "NEENAH DETECTABLE WARNING PLATE" MANUFACTURED BY NEENAH FOUNDRY COMPANY OR PRE-APPROVED EQUAL.
 - THE COLOR OF THE DETECTABLE WARNING FIELD SHALL BE FEDERAL YELLOW.
- THE SPECIFICATIONS OF THE CONCRETE SEALANT AND RELATED MATERIALS SHALL BE IN STRICT ACCORDANCE WITH THE GUIDELINES SET BY THEIR RESPECTIVE MANUFACTURERS.

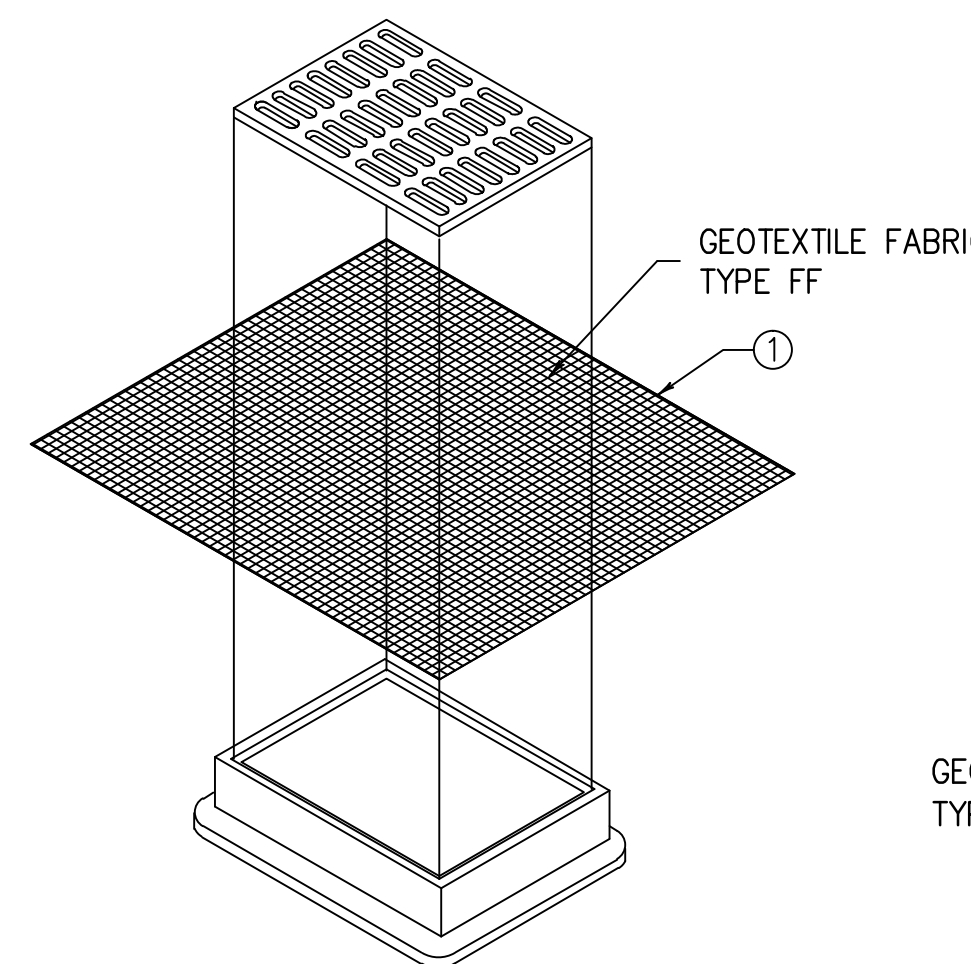


**ACCESSIBLE RAMP
DETECTABLE WARNING SURFACE**
(TO BE INSTALLED ON ALL PUBLIC RAMPS)
NOT TO SCALE

INSTALLATION NOTES

TYPE B & C
TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3" OF THE GRATE.

THE CONTRACTOR SHALL DEMONSTRATE A METHOD OF MAINTENANCE, USING A SEWN FLAP, HAND HOLDS OR OTHER METHOD TO PREVENT ACCUMULATED SEDIMENT FROM ENTERING THE INLET.

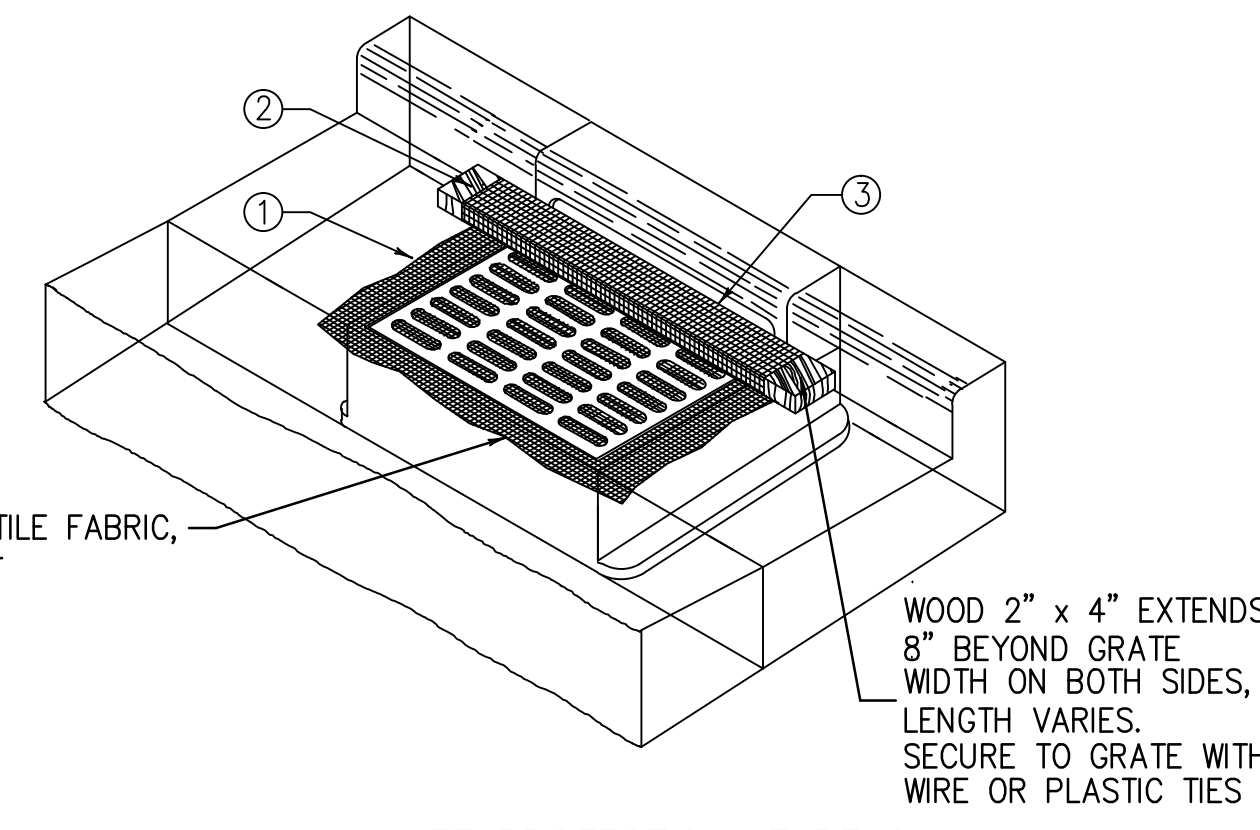


**INLET PROTECTION, TYPE B
(WITHOUT CURB BOX)**
(CAN BE INSTALLED IN ANY INLET WITHOUT A CURB BOX)

GENERAL NOTES

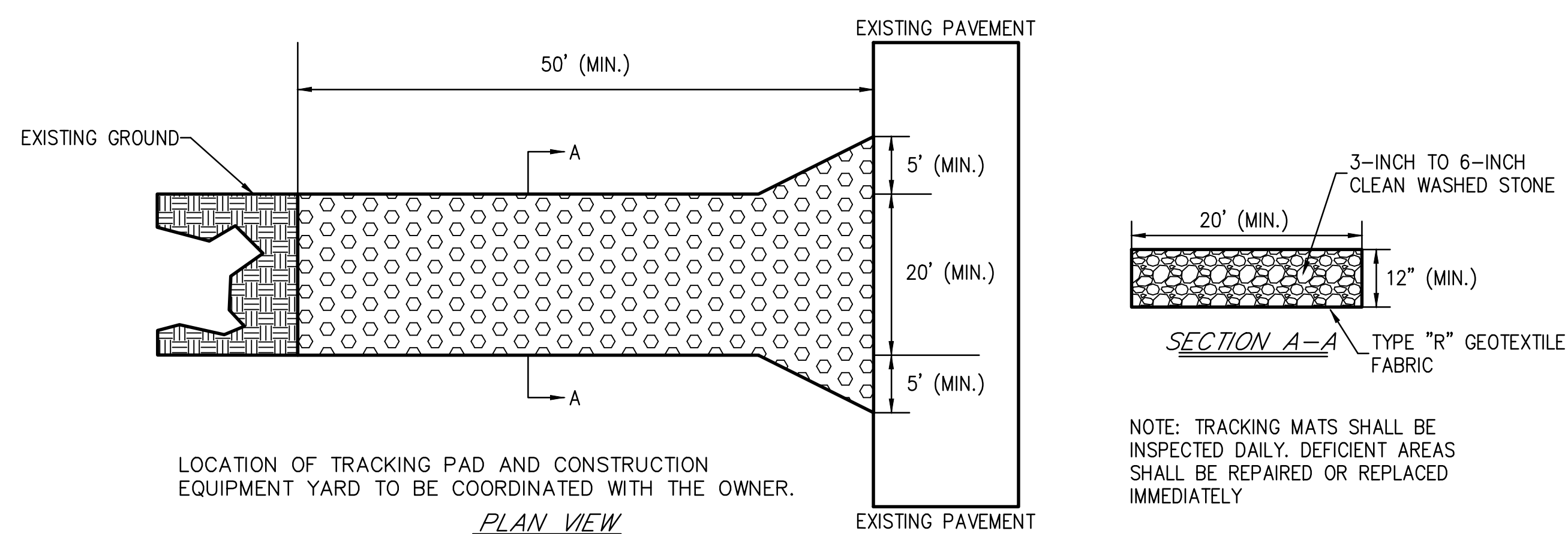
MANUFACTURED ALTERNATIVES APPROVED AND LISTED ON THE WI DOT'S EROSION CONTROL PRODUCT ACCEPTABILITY LIST MAY BE SUBSTITUTED. WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT THE SEDIMENT TRAPPED ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

- FINISHED SIZE, INCLUDING FLAP POCKETS WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 10" AROUND THE PERIMETER TO FACILITATE MAINTENANCE OR REMOVAL.
- FOR INLET PROTECTION, TYPE C (WITH CURB BOX), AN ADDITIONAL 18" OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES.
- THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX OPENING. FLAP POCKETS SHALL BE LARGE ENOUGH TO ACCEPT WOOD 2X4.

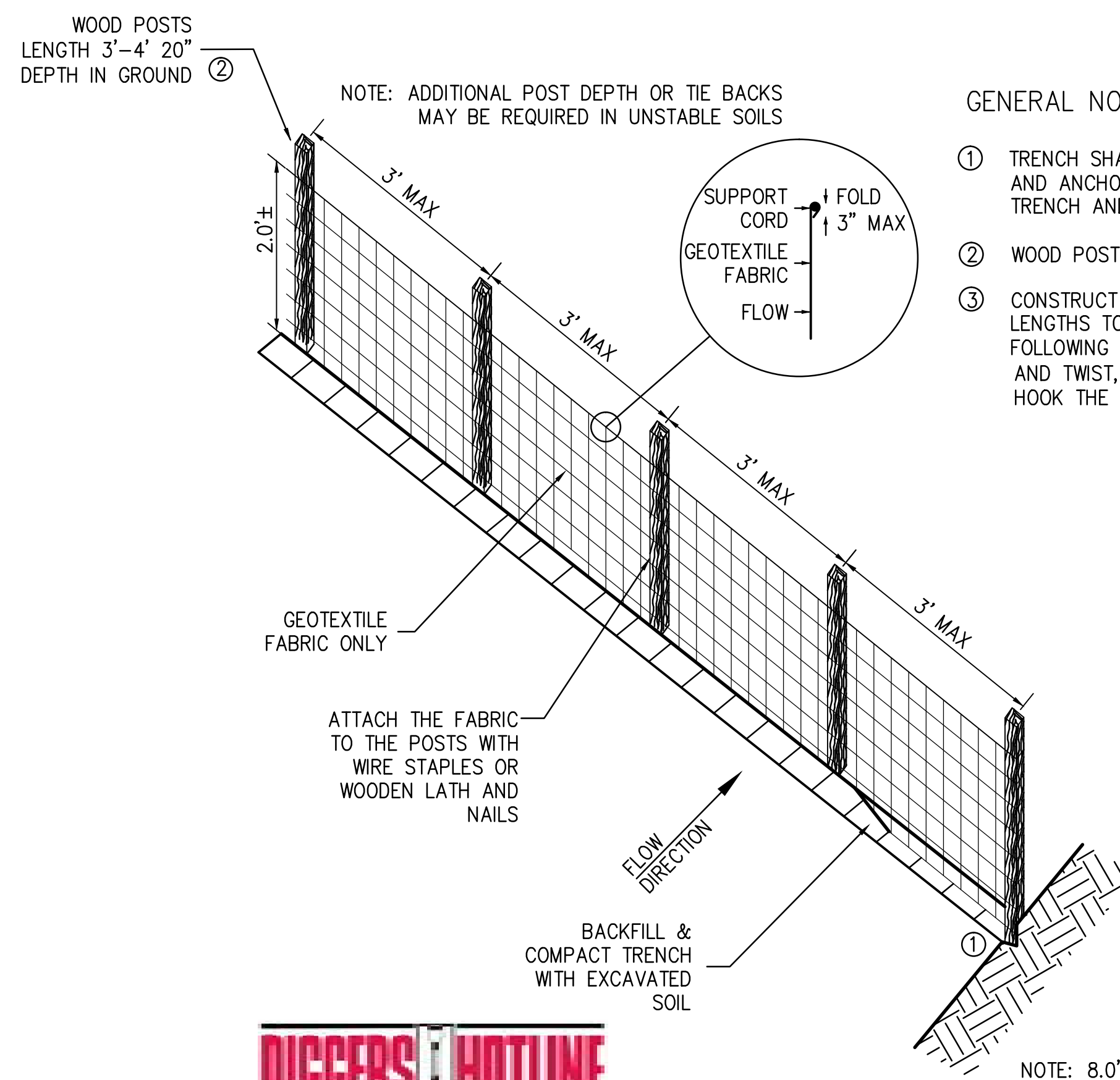


**INLET PROTECTION, TYPE C
(WITH CURB BOX)**
(CAN BE INSTALLED IN ANY INLET WITH A CURB BOX)

TYPICAL STORMWATER INLET PROTECTION DETAIL
NOT TO SCALE

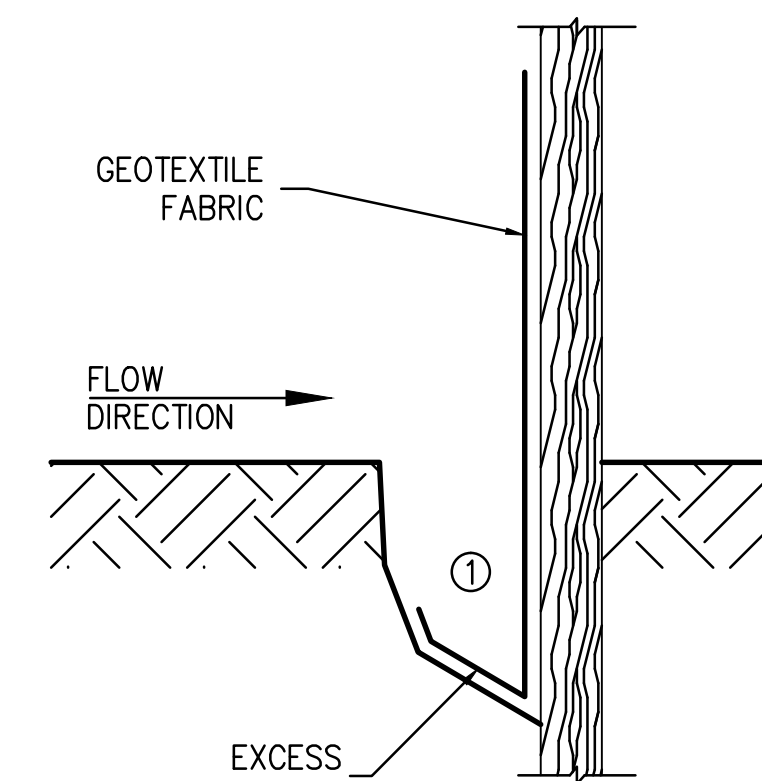


TRACKING PAD DETAIL
NOT TO SCALE



GENERAL NOTES - SILT FENCE

- TRENCH SHALL BE A MINIMUM OF 4" WIDE & 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC. FOLD MATERIAL TO FIT TRENCH AND BACKFILL & COMPACT TRENCH WITH EXCAVATED SOIL.
- WOOD POSTS SHALL BE A MINIMUM SIZE OF 1 1/2" x 1 1/2" OF OAK OR HICKORY.
- CONSTRUCT SILT FENCE FROM A CONTINUOUS ROLL IF POSSIBLE BY CUTTING LENGTHS TO AVOID JOINTS. IF A JOINT IS NECESSARY USE ONE OF THE FOLLOWING TWO METHODS: A) TWIST METHOD --- OVERLAP THE END POSTS AND TWIST, OR ROTATE, AT LEAST 180 DEGREES, B) HOOK METHOD --- HOOK THE END OF EACH SILT FENCE LENGTH.



NOTE: 8.0' POST SPACING ALLOWED IF A WOVEN GEOTEXTILE FABRIC IS USED.

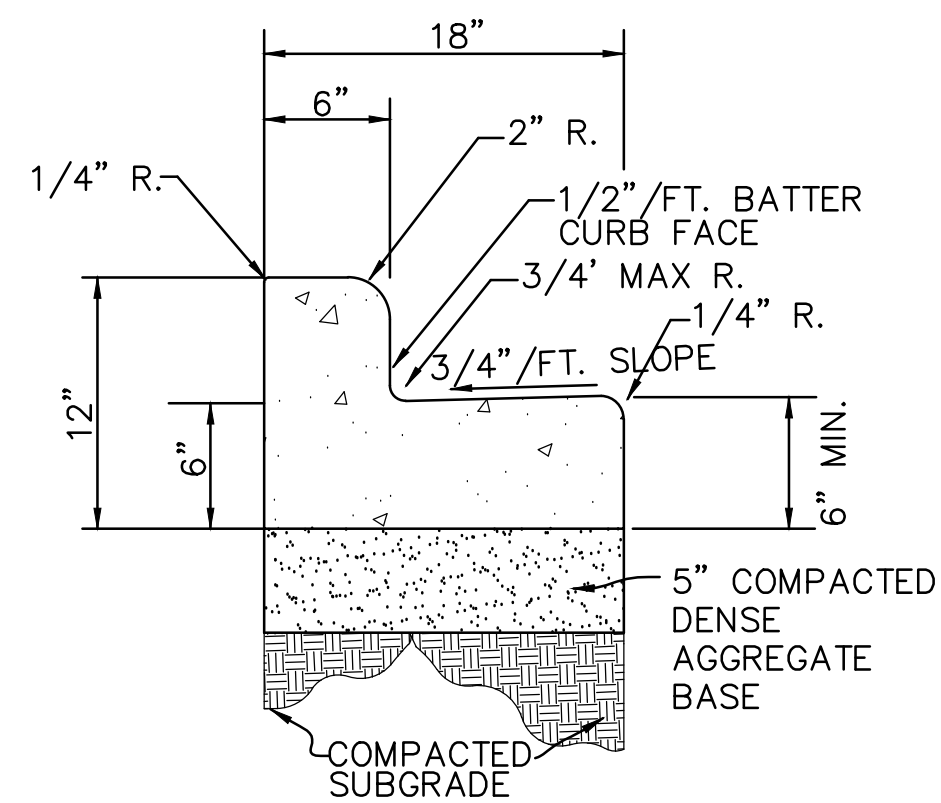


TYPICAL SILT FENCE DETAIL
NOT TO SCALE

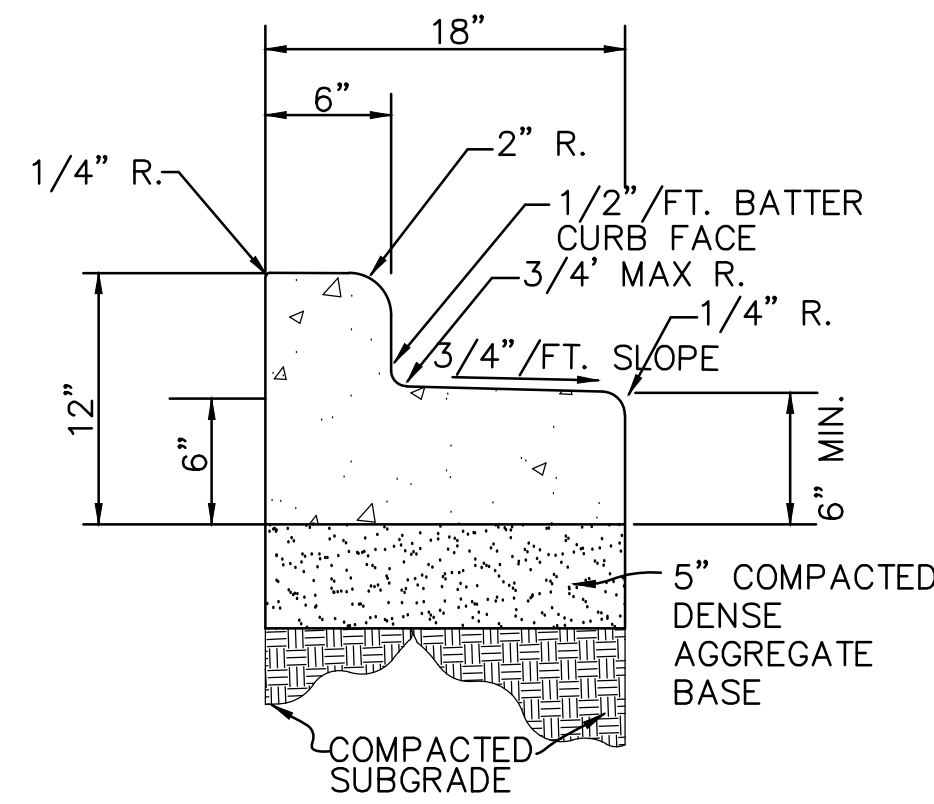
NO.	REVISION	BY	DATE

PROJ. MGR: MDE
DRAFTED: JJC
DATE: 4-6-2015
CHECKED: MDE
DATE: 4-6-2015

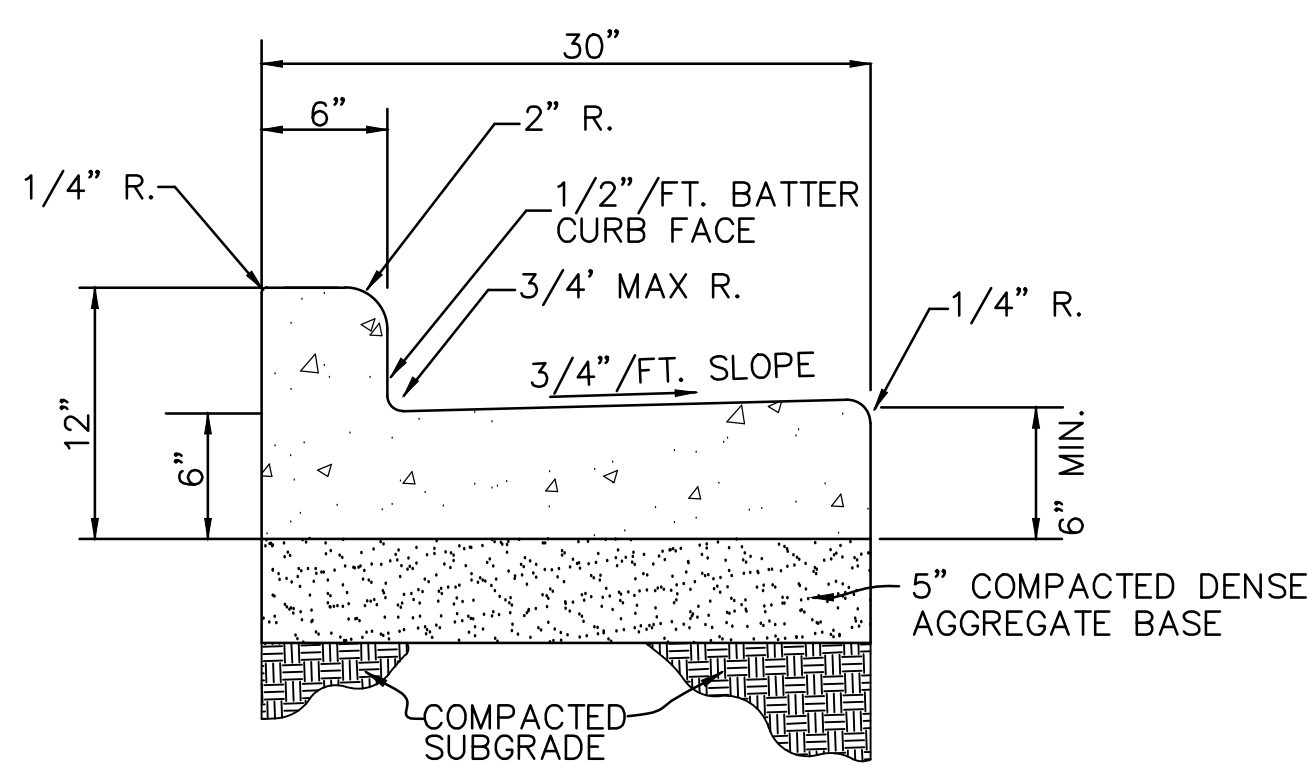
2015.0011.01
SHEET
C-9



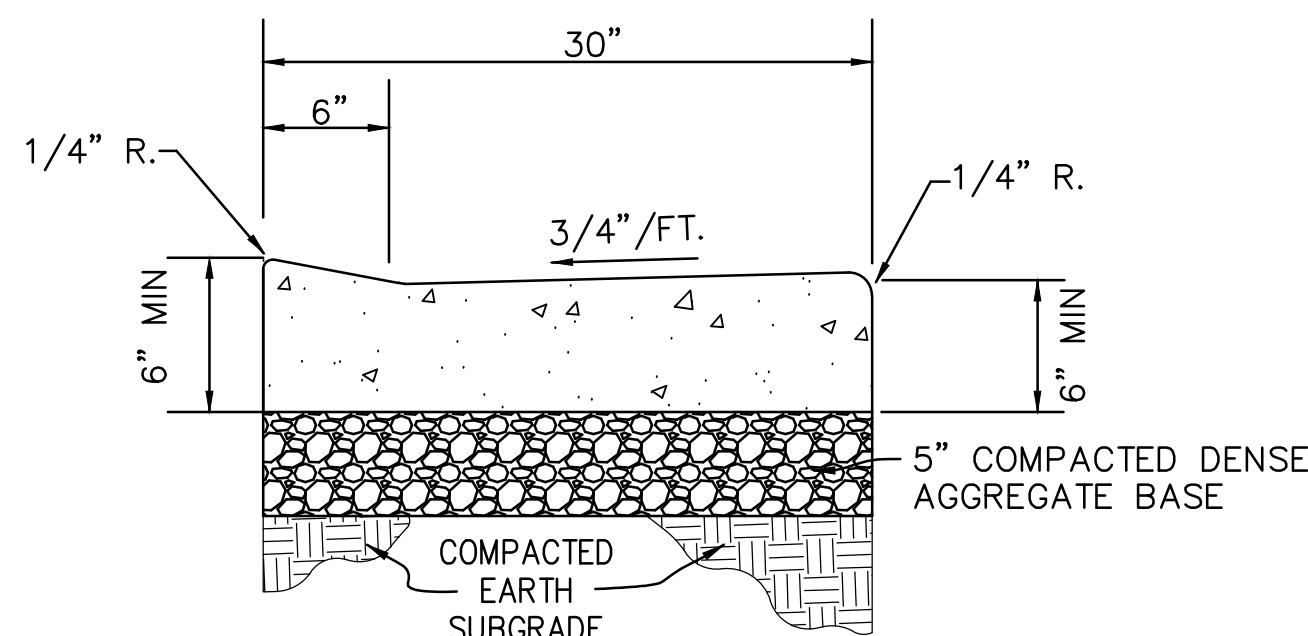
18" VERTICAL FACE CURB AND GUTTER
NOT TO SCALE



18" REVERSE PAN CURB AND GUTTER
NOT TO SCALE



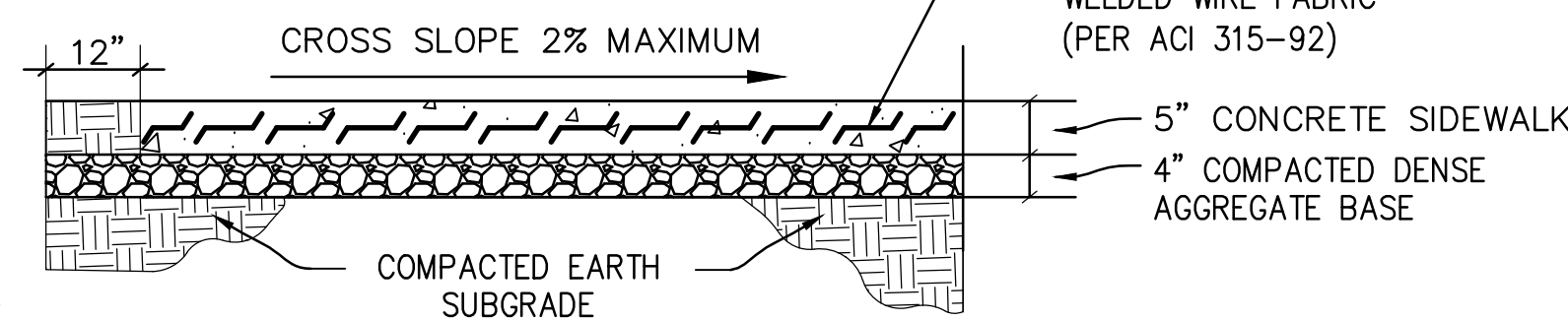
30" VERTICAL FACE CURB AND GUTTER
NOT TO SCALE



- NOTES:
- LATERAL CONTRACTION JOINTS TO BE PLACED AT AN INTERVAL OF 10 FEET. JOINTS SHALL BE A MINIMUM OF 3 INCHES IN DEPTH.
 - EXPANSION JOINTS SHALL BE PLACED TRANSVERSELY AT RADIUS POINTS ON CURVES 200 FEET IN DIAMETER OR LESS, AT ANGLE POINTS OR AS DIRECTED BY THE ENGINEER. EXPANSION JOINT FILLER MATERIAL SHALL BE ONE PIECE FIBERBOARD OR THE APPROVED EQUIVALENT MATERIAL HAVING THE SAME DIMENSIONS AS THE CURB & GUTTER AND SHALL BE 1/2 INCH THICK.
 - AN ALL CASES, CONCRETE CURB & GUTTER SHALL BE PLACES ON THOROUGHLY COMPACTED DENSE AGGREGATE BASE COURSE.

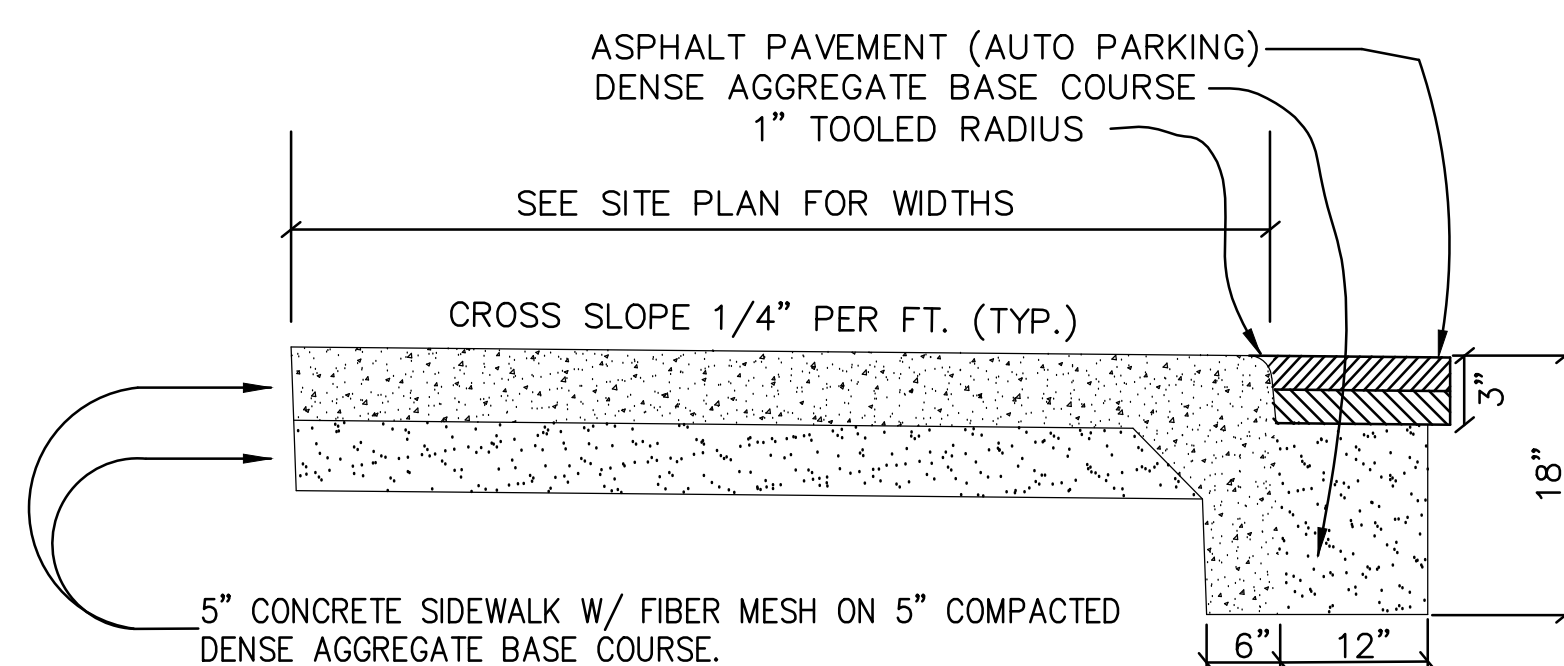
30" TYPE "D" DEPRESSED HEAD CONCRETE CURB AND GUTTER DETAIL
NOT TO SCALE

9" PAVEMENT SECTION (TYPICAL)
5" CONCRETE SIDEWALK (PER SECTION 415 OF THE "STATE SPECIFICATIONS")
* ALL CONCRETE SHALL BE GRADE A-FA, AIR-ENTRAINED, 6-BAG MIX WITH A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3,500 PSI.
4" COMPACTED DENSE AGGREGATE BASE
* 3/4" GRADATION (PER SECTION 305.2.2.1 OF THE "STATE SPECIFICATIONS")
* BASE COURSE SHALL EXTEND A MINIMUM OF 12 INCHES BEYOND THE EDGE OF CONCRETE.



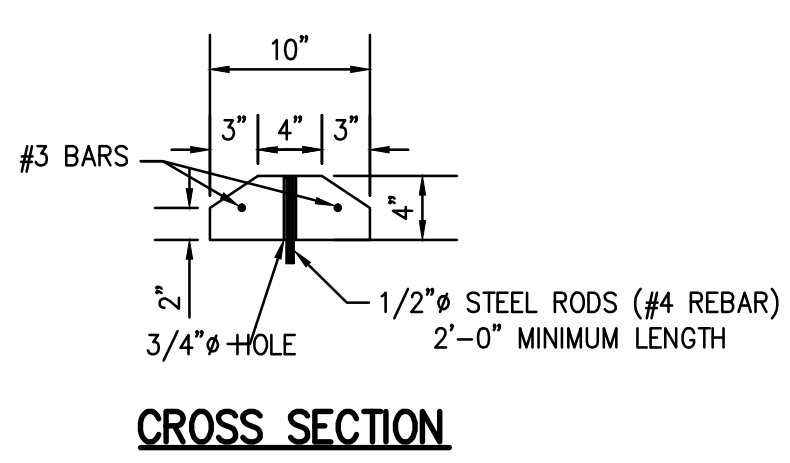
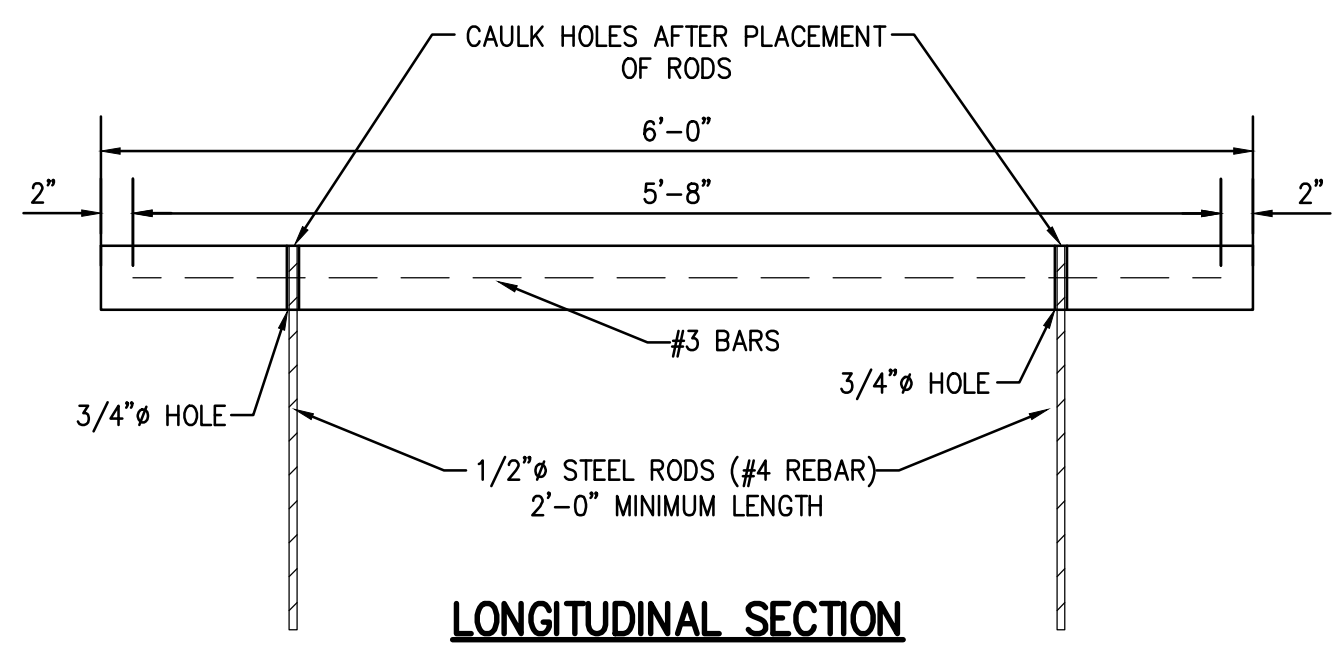
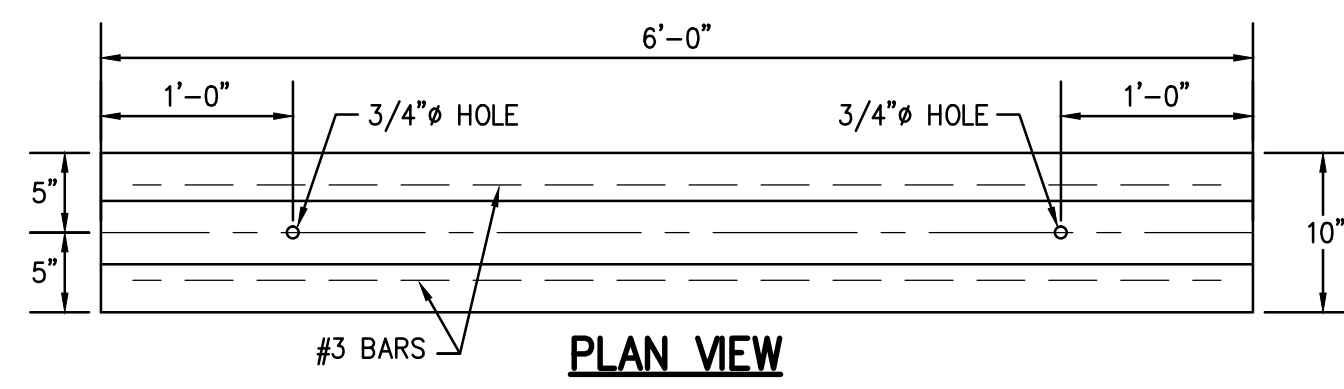
- NOTES:
- PROVIDE TOOLED CONTROL JOINTS AT AN INTERVAL MATCHING THE SIDEWALK WIDTH BUT NO GREATER THAN 10 FEET.
 - PROVIDE EXPANSION JOINTS AT INTERVAL NO GREATER THAN 100 FEET. EXPANSION JOINT FILLER MATERIAL SHALL BE ONE PIECE FIBERBOARD OR THE APPROVED EQUIVALENT MATERIAL AND SHALL BE 1/2 INCH THICK.

ONSITE "PRIVATE" CONCRETE SIDEWALK (TYPICAL SECTION)
NOT TO SCALE

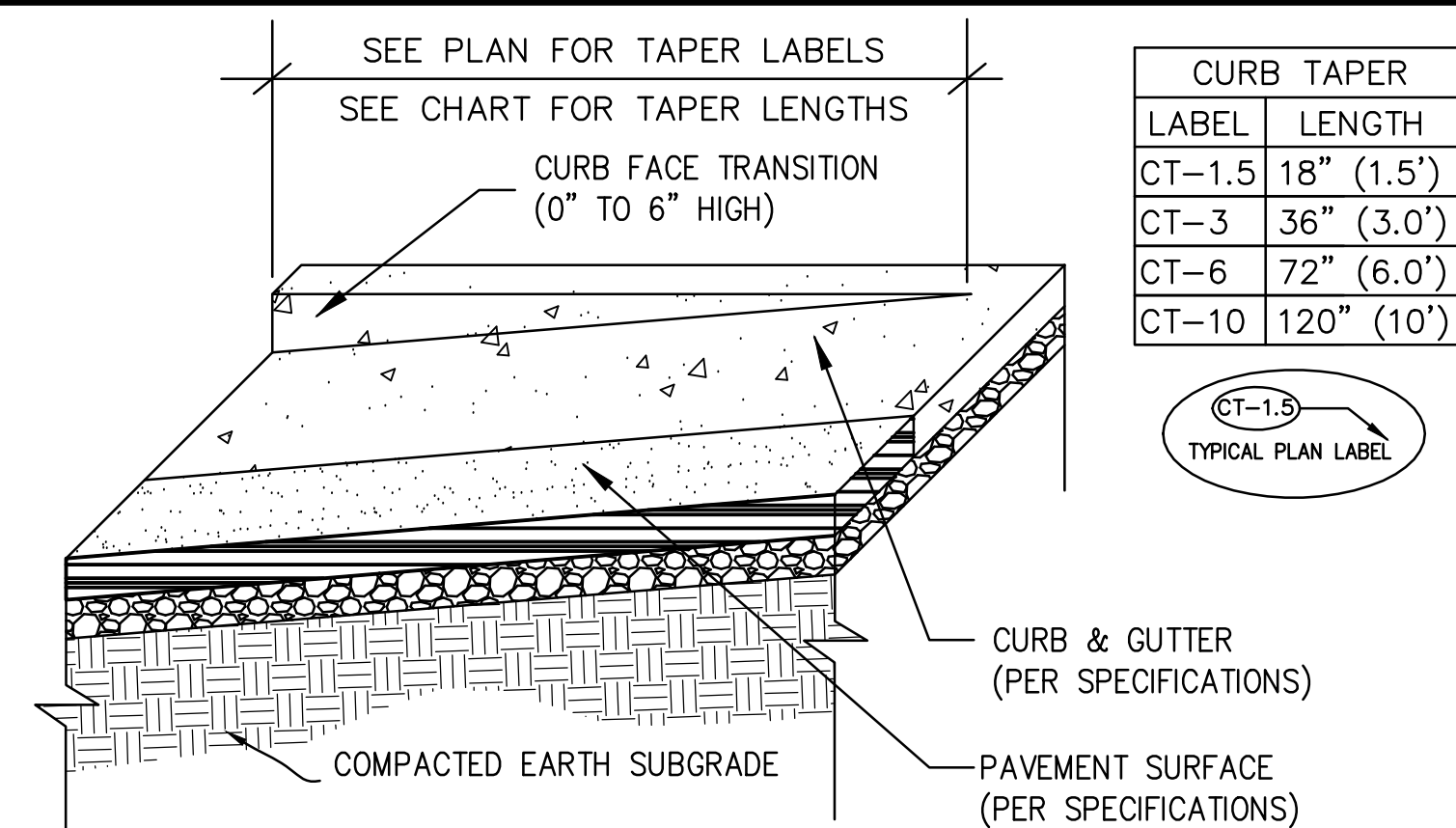


- PROVIDE SWAED CONTROL JOINTS AT AN INTERVAL MATCHING THE SIDEWALK WIDTH TO 1/4 THE DEPTH OF THE SLAB. PROVIDE 1/2" EXPANSION JOINTS AT 40'-0" ON CENTER.
PROVIDE 12" OF CONCRETE UNDER PAVEMENT AT ALL LOCATIONS WHERE ASPHALT MATCHED CONCRETE

CONCRETE SIDEWALK & FLUSH PAVEMENT (TYPICAL SECTION)
NOT TO SCALE



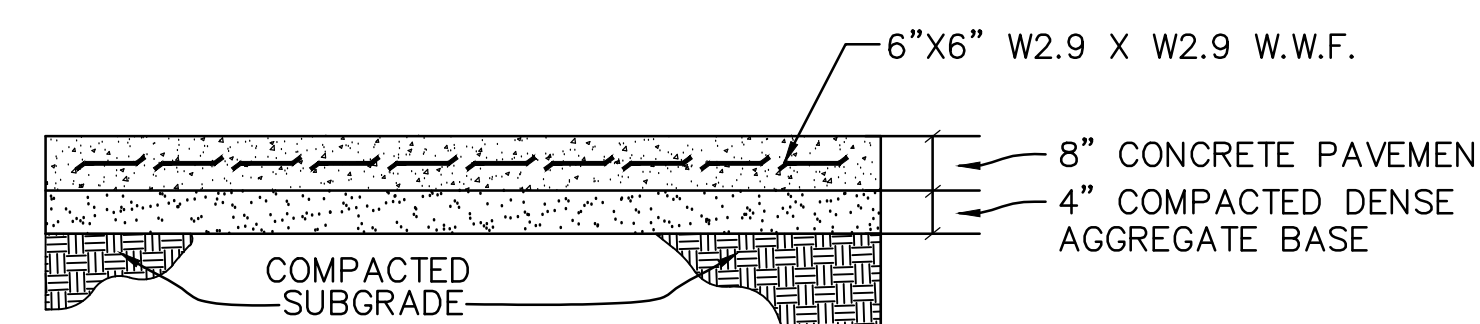
CONCRETE WHEEL STOP DETAIL
NOT TO SCALE



CURB TAPER	
LABEL	LENGTH
CT-1.5	18" (1.5')
CT-3	36" (3.0')
CT-6	72" (6.0')
CT-10	120" (10')

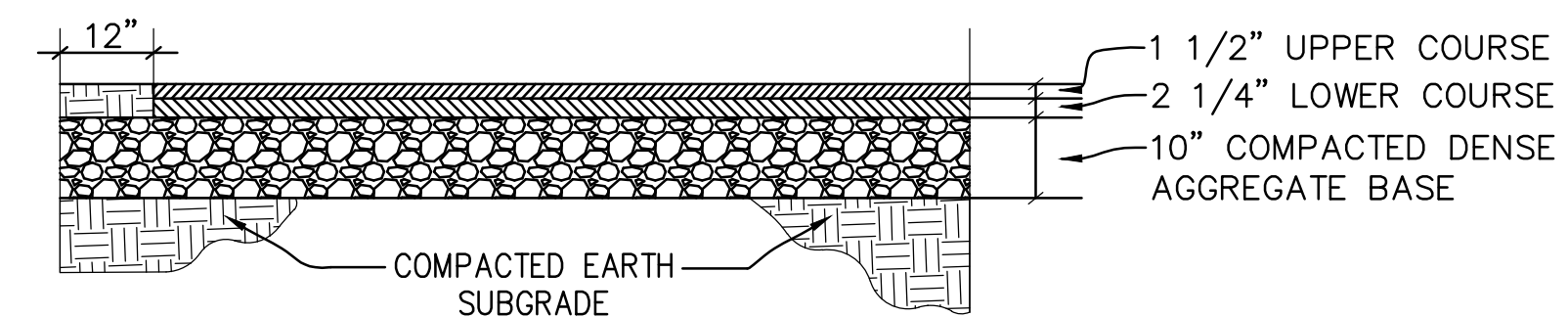
CURB TAPER DETAIL
NOT TO SCALE

12" PAVEMENT SECTION (TYPICAL)
8" CONCRETE PAVEMENT (PER SECTION 415 OF THE "STATE SPECIFICATIONS")
* ALL CONCRETE SHALL BE GRADE A-FA, AIR-ENTRAINED, 6-BAG MIX WITH A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3,500 PSI.
4" COMPACTED DENSE AGGREGATE BASE
* 1 1/4" GRADATION (PER SECTION 305.2.2.1 OF THE "STATE SPECIFICATIONS")
* BASE COURSE SHALL EXTEND A MINIMUM OF 12 INCHES BEYOND THE EDGE OF CONCRETE.

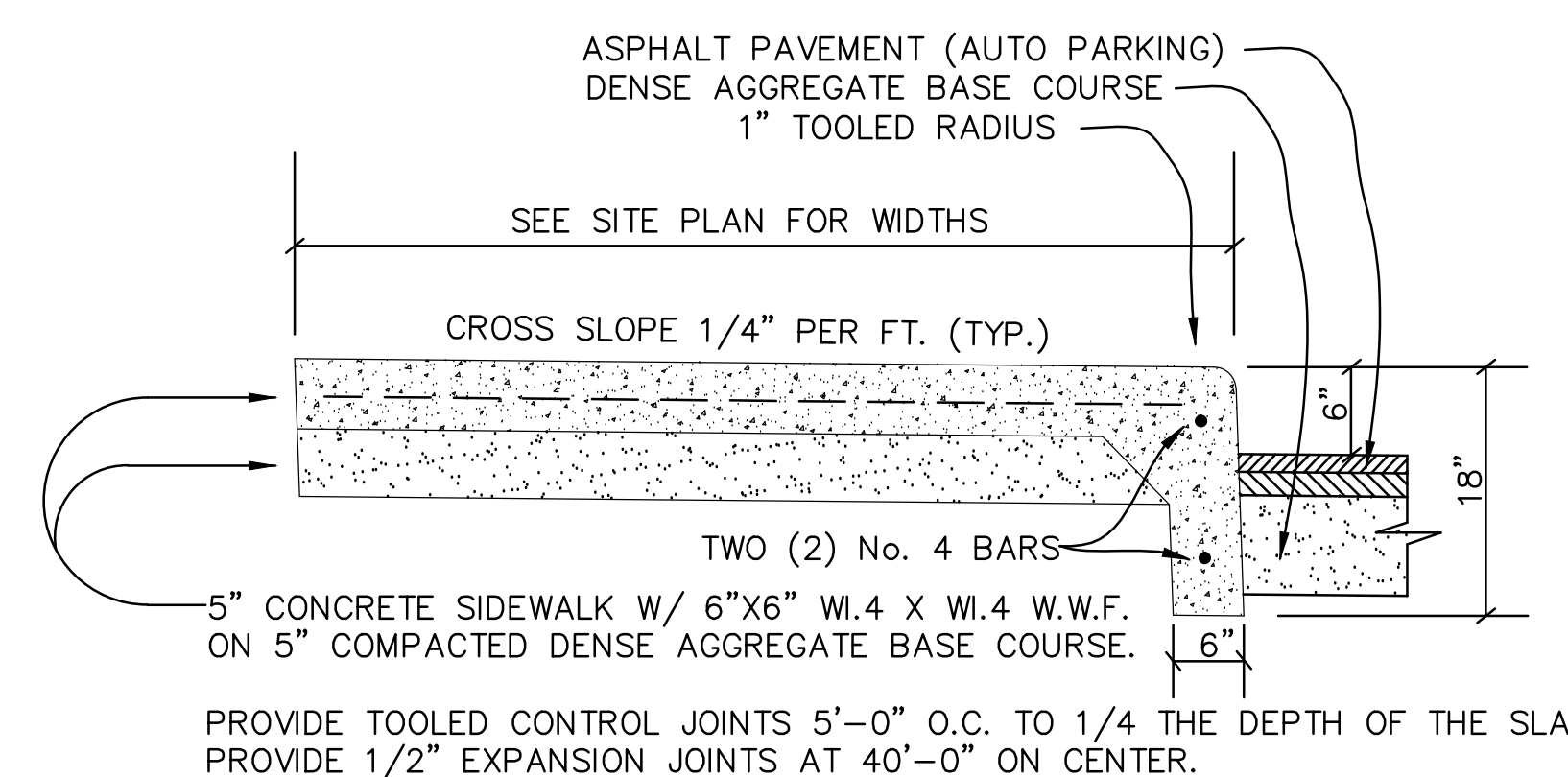


8" CONCRETE PAVEMENT SHALL INCLUDE 6"X6" W2.9 X W2.9 W.W.F.
TRASH ENCLOSURE / APRON CONCRETE PAVEMENT SECTION
NOT TO SCALE

13 3/4" PAVEMENT SECTION (TYPICAL)
3 3/4" HMA PAVEMENT, WISDOT, TYPE E-0.3
* 1 1/2" THICK UPPER COURSE (9.5 mm GRADATION), PG 64-22 OR PG 58-28
* 2 1/4" THICK LOWER COURSE (19.0 mm GRADATION), PG 64-22 OR PG 58-28
10" COMPACTED DENSE AGGREGATE BASE
* 1 1/4" GRADATION (PER SECTION 305.2.2.1 OF THE "STATE SPECIFICATIONS")
* BASE COURSE SHALL EXTEND A MINIMUM OF 12 INCHES BEYOND THE EDGE OF PAVEMENT OR BACK OF CURB.



ASPHALT PAVEMENT - MEDIUM DUTY (TYPICAL SECTION)
NOT TO SCALE



PROVIDE TOOLED CONTROL JOINTS 5'-0" O.C. TO 1/4 THE DEPTH OF THE SLAB. PROVIDE 1/2" EXPANSION JOINTS AT 40'-0" ON CENTER.
SIDEWALK / BARRIER CURB (TYPICAL SECTION)
NOT TO SCALE

Nielsen Madsen & Barber S.C.
Civil Engineers and Land Surveyors
1458 Horizon Blvd, Suite 200, Racine, WI. 53406
Tel: (262)634-5588 Fax: (262)634-5024
Website www.nmbssc.net

OUTLOT 21, PRAIRIE RIDGE TYPICAL SECTIONS & CONSTRUCTION DETAILS FOR OLDACRE McDONALD, LLC
VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY WISCONSIN

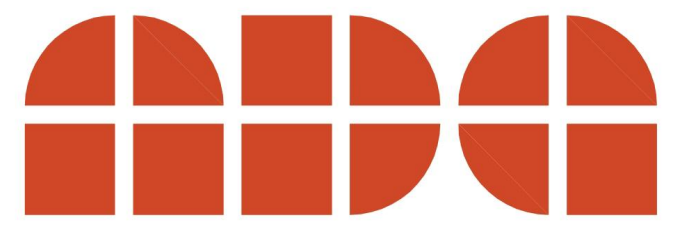
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PROJ. MGR: MDE
DRAFTED: JJC
DATE: 4-6-2015
CHECKED: MDE
DATE: 4-6-2015
2015.0011.01
SHEET
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Thursday, May 14, 2015 4:06:33 PM

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ISSUE FOR REVIEW - 5-15-2015



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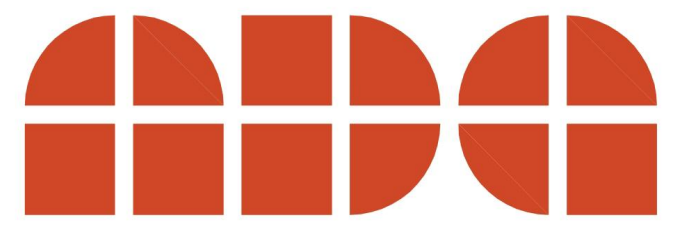
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F:: 314.644.4373



Entry Perspective

Design Development Plans

Proposed New Development
(Lot 1)
75th Street & 94th Avenue
Pleasant Prairie, WI



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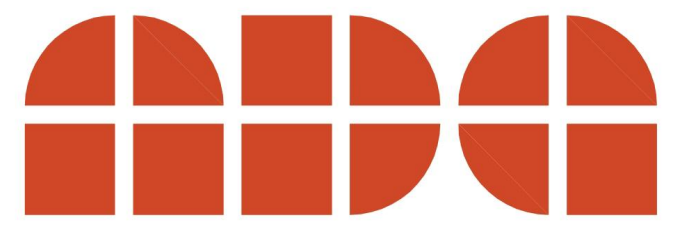
North Elevation



East Elevation

Design Development Plans

Proposed New Development
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75th Street & 94th Avenue
Pleasant Prairie, WI



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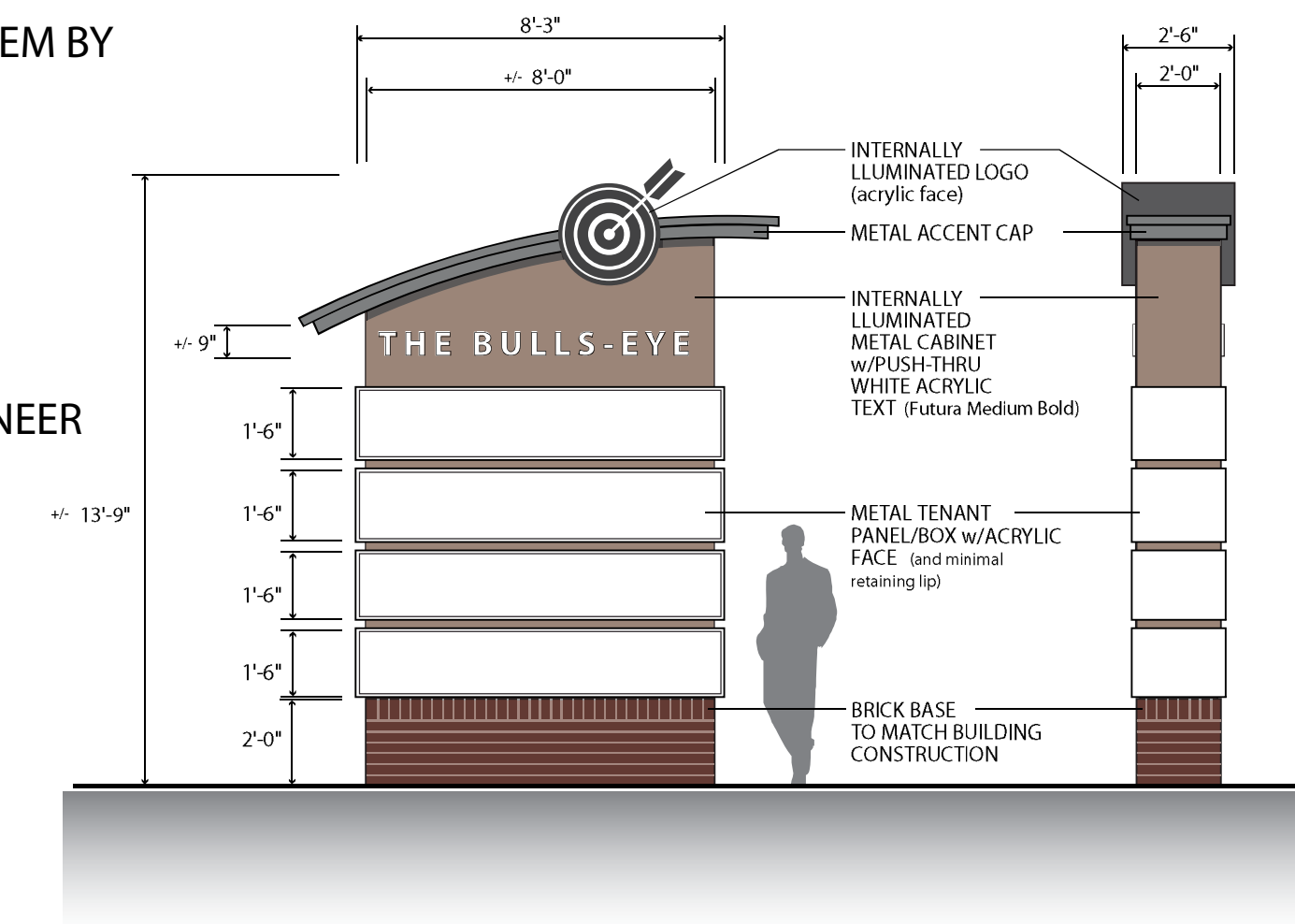
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South Elevation



East Elevation

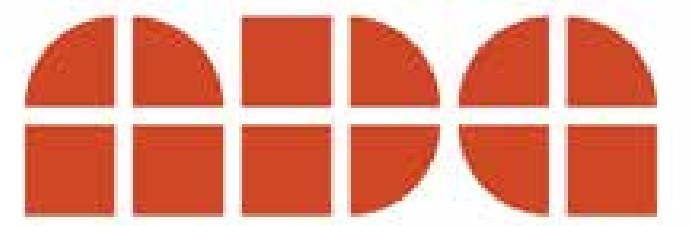


Monument Sign N.T.S.

Design Development Plans

Proposed New Development
(Lot 1)
75th Street & 94th Avenue
Pleasant Prairie, WI

May 15, 2015



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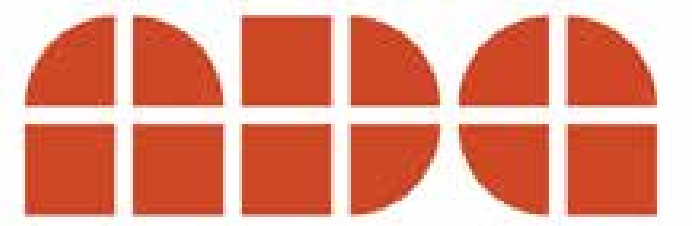
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Entry Perspective

Design Development Plans

Proposed New Development
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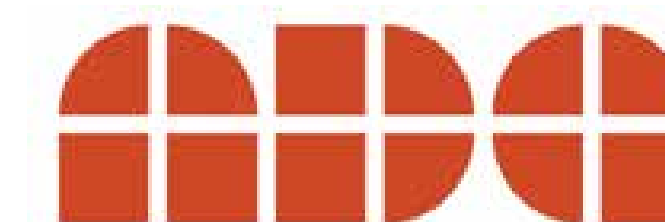


Entry Perspective

Design Development Plans

Proposed New Development
(Lot 2)
75th Street & 94th Avenue
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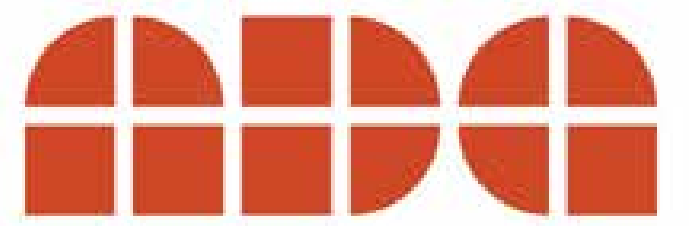
North Elevation



East Elevation

Design Development Plans

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Pleasant Prairie, WI



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South Elevation



East Elevation

Monument Sign N.T.S.

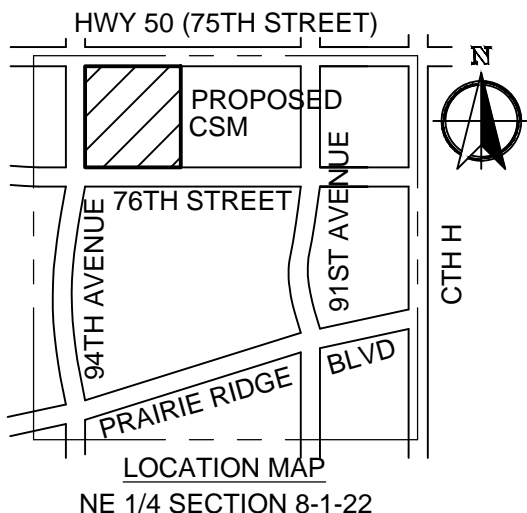
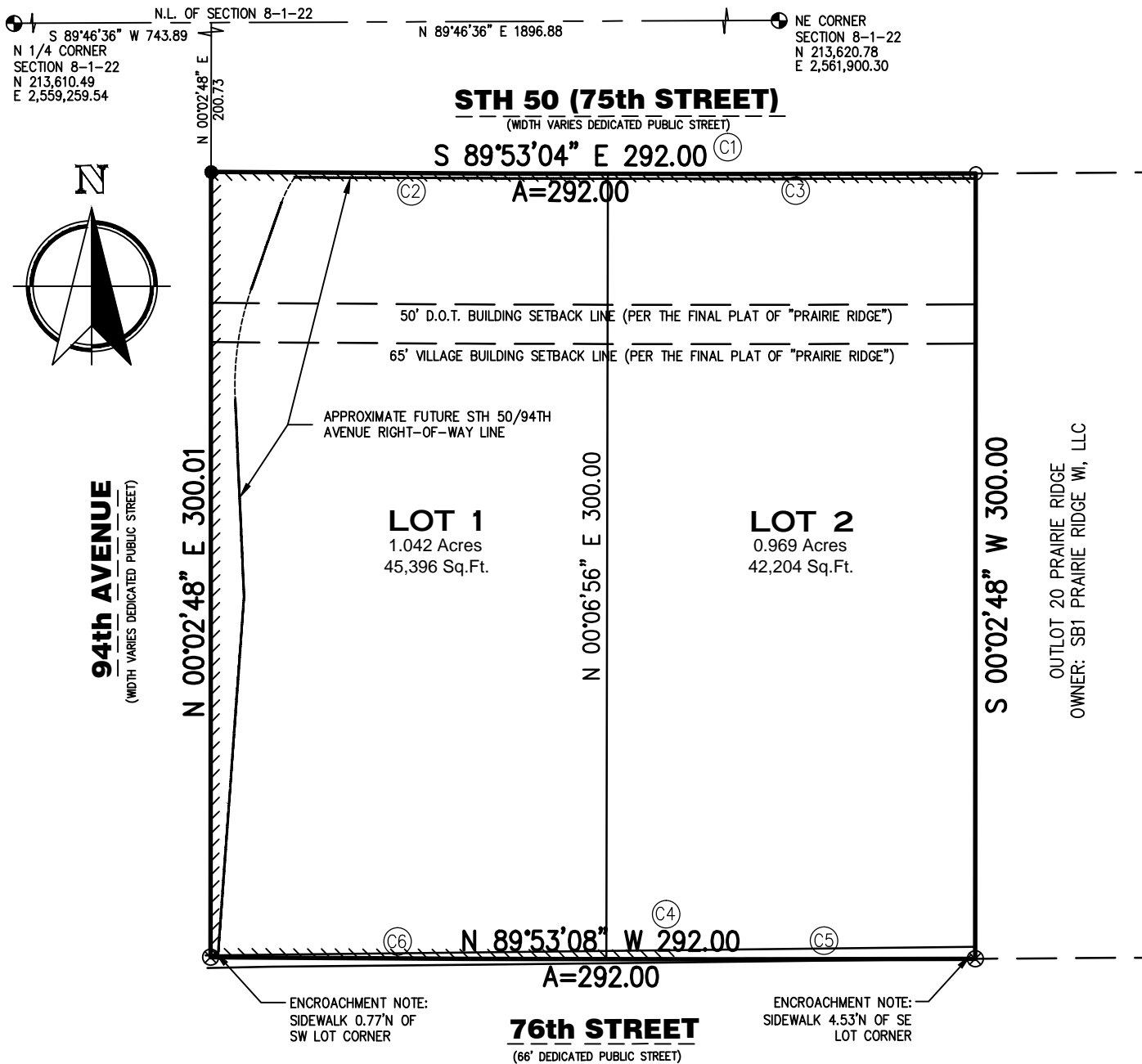
Design Development Plans

Proposed New Development
(Lot 2)
75th Street & 94th Avenue
Pleasant Prairie, WI

May 15, 2015

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.



SCALE 1"=60'

NOTES:
 ZONING OF PARCELS IS B-2 (PUD)
 OWNER/LAND DIVIDER: OLDACRE McDONALD, LLC
 5819 BRISTLECONE CT., ST. LOUIS, MO 63129
 SURVEYOR: NIELSEN MADSEN & BARBER, S.C.
 1458 HORIZON BLVD. SUITE 200, RACINE, WI 53406
 ALL ELEVATIONS REFER TO NATIONAL GEODETIC DATUM OF 1929.
 BEARINGS BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE. BASED UPON NAD 1927.

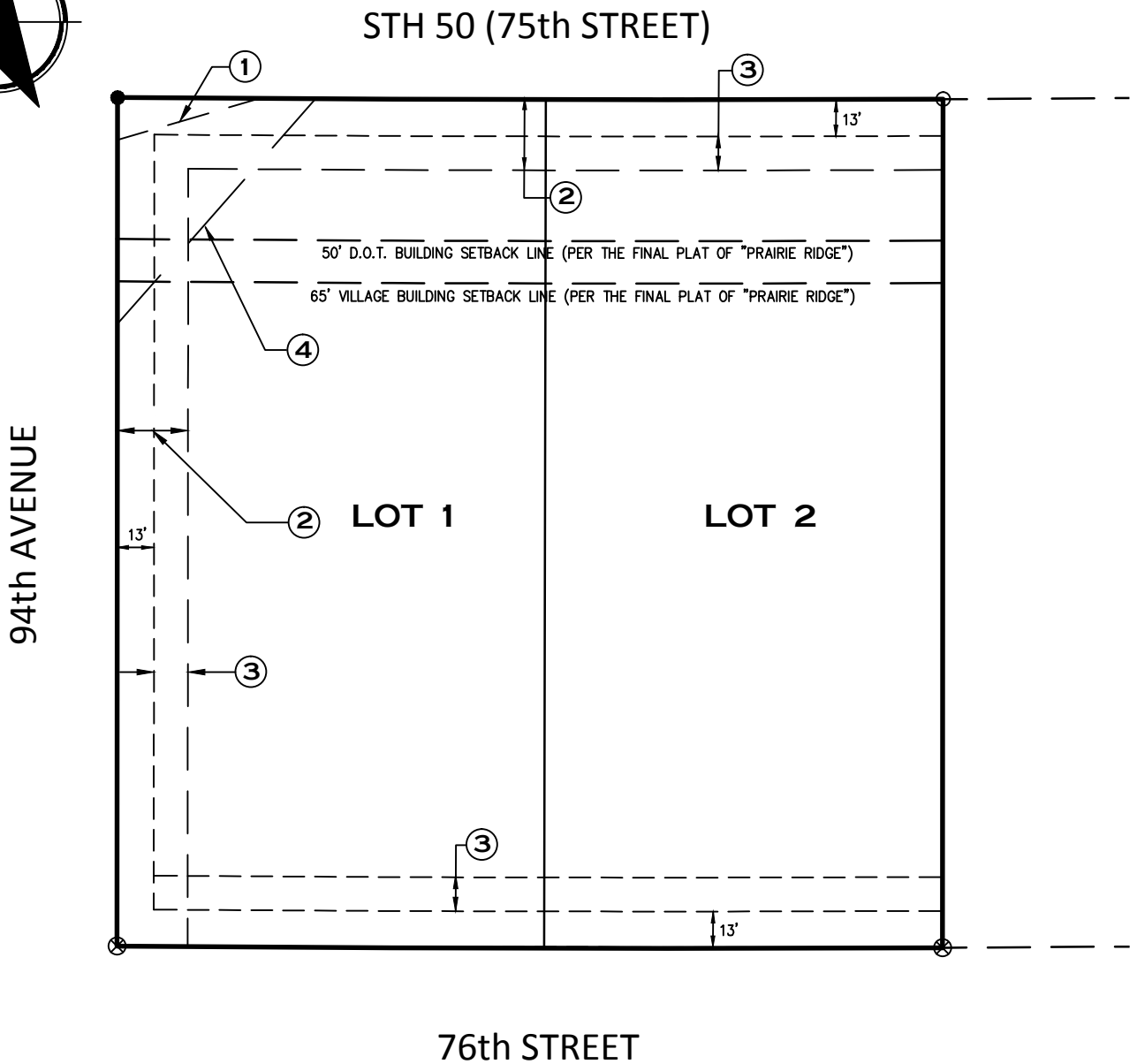
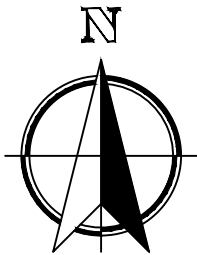
- LEGEND:**
- ⊗ CHISEL "+"
 - 1" O.D. IRON PIPE FOUND
 - 1.315" O.D.x18" IP - 1.68LBS/LIN FT. SET
 - ⊙ 6" CONC. MON. W / BRASS CAP FOUND
 - //// NO VEHICULAR ACCESS

Date: March 6, 2015
 This Instrument was drafted by Mark R. Madsen
 PROJECT ID: 2015.0011.01

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

EASEMENTS AND RESTRICTIONS PREVIOUSLY RECORDED ON PRAIRIE RIDGE SUBDIVISION PLAT



- ① 15'x50' V.T.E DEDICATED VISION TRIANGLE EASEMENT PER VILLAGE ORDINANCE (ILLUST. #2, SEC. 12-13-1). (PER PLAT OF PRAIRIE RIDGE)
- ② 25' WIDE DEDICATED PLANTING AND LANDSCAPE EASEMENT AND RESTRICTED PLANTING, LANDSCAPE AND VEHICLE NON-ACCESS AREA, EXCEPT AS OTHERWISE AGREED TO BY THE VILLAGE OF PLEASANT PRAIRIE. (SUBJECT TO A RESTRICTIVE COVENANT RUNNING WITH THE LAND). (PER PLAT OF PRAIRIE RIDGE)
- ③ 12' WIDE DEDICATED UTILITY EASEMENT AREAS TO WISCONSIN ELECTRIC POWER COMPANY, AMERITECH, AND TIME WARNER CABLE (PER THE FINAL PLAT OF "PRAIRIE RIDGE")
- ④ 70'x80' DEDICATED ENTRY MONUMENT EASEMENT (PER THE FINAL PLAT OF "PRAIRIE RIDGE")

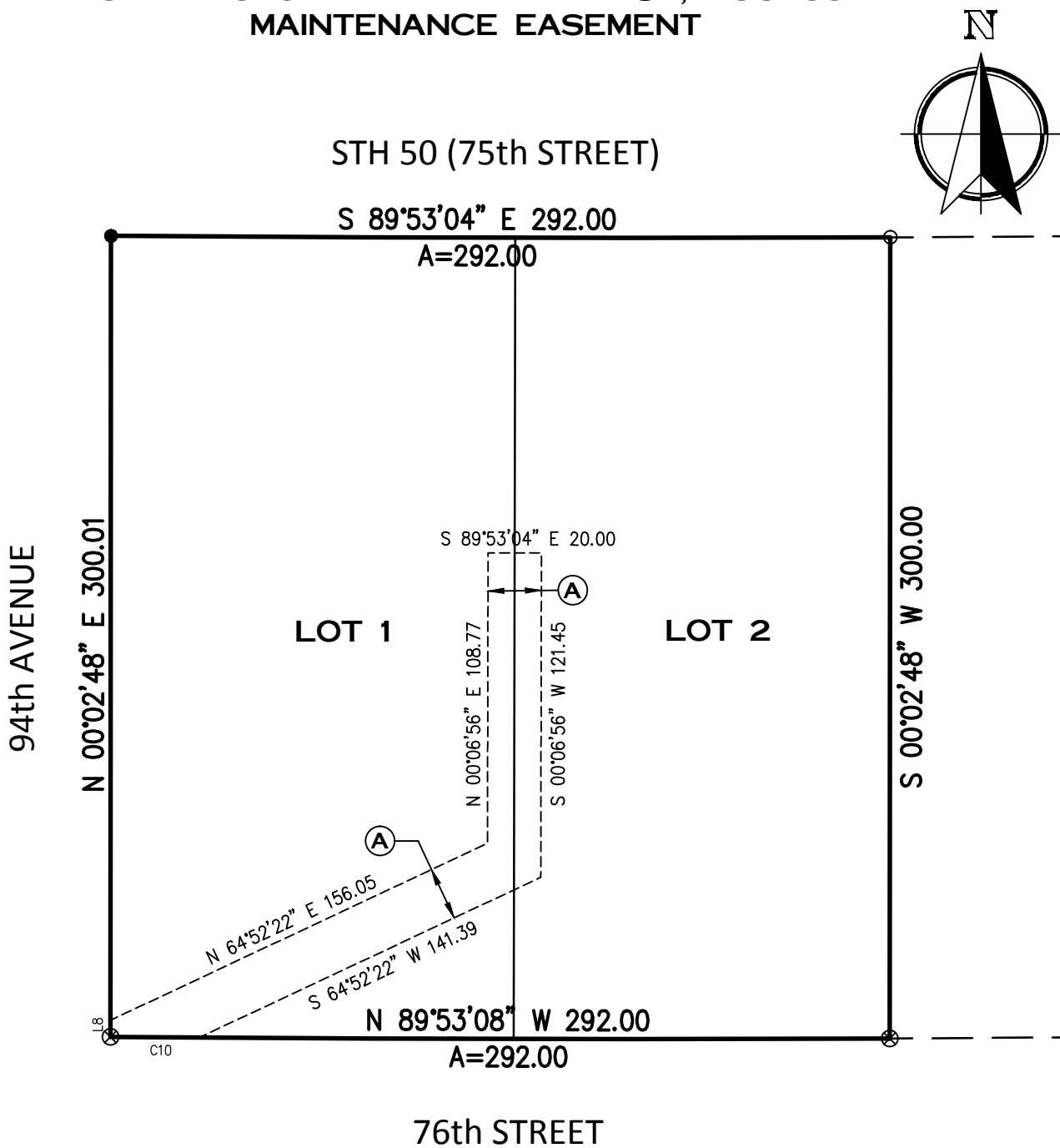
60' 0' 60'

SCALE 1"=60'

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

NEW EASEMENT DEDICATIONS DEDICATED STORM WATER DRAINAGE, ACCESS AND MAINTENANCE EASEMENT



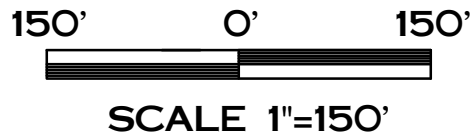
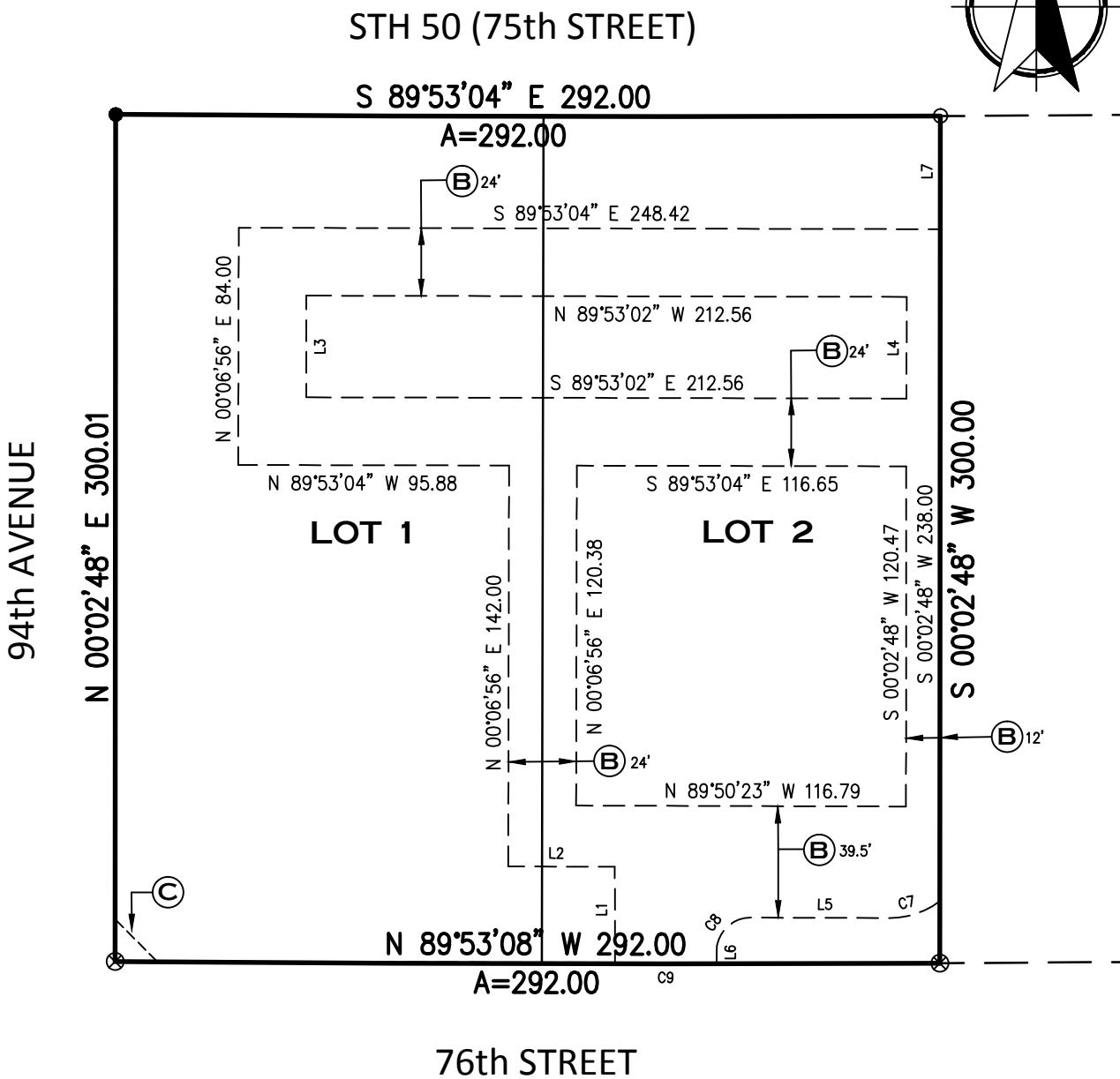
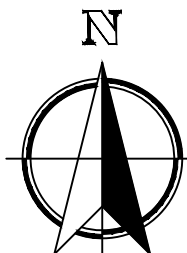
SCALE 1"=150'

(A) 20' WIDE DEDICATED STORM WATER DRAINAGE, ACCESS, AND MAINTENANCE EASEMENT.

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

NEW EASEMENT DEDICATIONS DEDICATED INGRESS-EGRESS CROSS ACCESS AND MAINTENANCE EASEMENT AND A 15'x15' VISION TRIANGLE EASEMENT



- (B) DEDICATED INGRESS-EGRESS, CROSS ACCESS AND MAINTENANCE EASEMENT.
- (C) 15'x15' V.T.E DEDICATED VISION TRIANGLE EASEMENT PER VILLAGE ORDINANCE

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH,
RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY,
WISCONSIN.

Boundary Curve Table							
Curve #	Delta	Radius	Arc	Tangent	Chord Direction	Chord Length	Tangent Bearing
C1	0°43'39"	22998.33	292.00	146.00	S89° 53' 04"E	292.00	S89°31'15"E N89°45'06"E
C2	0°22'39"	22998.33	151.50	75.75	S89° 42' 34"E	151.50	S89°31'15"E S89°53'54"E
C3	0°21'00"	22998.33	140.50	70.25	N89° 55' 36"E	140.50	S89°53'54"E N89°45'06"E
C4	0°43'05"	23295.47	292.00	146.00	N89° 53' 08"W	292.00	N89°31'36"W S89°45'19"W
C5	0°20'47"	23295.47	140.86	70.43	N89° 55' 42"E	140.86	S89°53'54"E N89°45'19"E
C6	0°22'18"	23295.47	151.14	75.57	S89° 42' 45"E	151.14	S89°31'36"E S89°53'54"E

Ingress-Egress Line Table		
Line #	Length	Direction
L1	34.38	N00° 00' 26"W
L2	37.75	N89° 53' 04"W
L3	36.00	N00° 06' 56"E
L4	36.00	S00° 06' 56"W
L5	49.20	N89° 50' 23"W
L6	4.11	S00° 00' 26"E
L7	300.00	S00° 02' 48"W

Ingress-Egress Curve Table							
Curve #	Delta	Radius	Arc	Tangent	Chord Direction	Chord Length	Tangent Bearing
C7	37°07'57"	29.50	19.12	9.91	S71° 35' 39"W	18.79	N89°50'23"W S53°01'40"W
C8	90°10'04"	12.00	18.88	12.04	S45° 04' 35"W	17.00	S00°00'26"E N89°50'23"W
C9	0°05'19"	23295.47	36.00	18.00	S89° 59' 38"W	36.00	N89°57'43"W S89°56'59"W

Storm Easement Line Table		
Line #	Length	Direction
L8	6.25	N00° 02' 48"E

Storm Easement Curve Table							
Curve #	Delta	Radius	Arc	Tangent	Chord Direction	Chord Length	Tangent Bearing
C10	0°04'54"	23295.47	33.25	16.63	N89° 34' 03"W	33.25	N89°31'36"W N89°36'30"W

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

DEDICATION AND EASEMENT PROVISIONS PREVIOUSLY RECORDED ON PRAIRIE RIDGE (EASEMENT TEXT MODIFIED VIA THIS CSM)

15' X 50' DEDICATED VISION TRIANGLE EASEMENT (EASEMENT 1 - PREVIOUSLY DEDICATED ON PRAIRIE RIDGE)

Nonexclusive easements coextensive with the areas shown as a 15'x50' Dedicated Vision Triangle Easement on Lot 1 of this CSM have been dedicated, given, granted and conveyed by VK Arbor LLC to the Village of Pleasant Prairie ("the Village") to maintain a clear sight line of vision at each identified intersection. There shall be no obstructions, such as but not limited to structures, signage, fences, vehicular parking, vegetation and shelters within the 15'x50' Dedicated Vision Triangle Easement area between the heights of two (2) feet and ten (10) feet unless approved by the Village. This restriction is for the benefit of the traveling public and shall be enforceable by the Village.

25' DEDICATED PLANTING AND LANDSCAPE EASEMENT (EASEMENT 2 - PREVIOUSLY DEDICATED ON PRAIRIE RIDGE)

Nonexclusive easements coextensive with the areas shown on Lots 1 and 2 of this CSM as a 25' Wide Dedicated Planting and Landscape Easement and Restricted Planting, Landscape and Vehicle Non-access Area were dedicated, given, granted and conveyed by V.K. Development Corporation to the Owner of Lot 1 and 2 of this CSM and the Village for the purposes of grading, planting and installing trees, shrubs and other landscape elements and all related ingress and egress, replacement and maintenance activities. In the event of any conflict between the rights of the Owner(s) and the rights of the Village with respect to the 25' Wide Dedicated Planting and Landscape Easement and Restricted Planting, Landscape and Vehicle Non-access Area, the Village's rights under these easements shall be deemed to be superior. Notwithstanding such easements, the Village shall have no obligation to exercise its rights under these easements. The Owner of Lot 1 and 2 of this CSM shall be responsible for all costs associated with grading, planting and installing trees, shrubs and other landscape elements and all related replacement and maintenance activities within these nonexclusive easement areas in accordance with the master landscaping plan approved by the Village.

DEDICATED UTILITY EASEMENT AREAS (EASEMENT 3 - PREVIOUSLY DEDICATED ON PRAIRIE RIDGE)

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

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

DEDICATION AND EASEMENT PROVISIONS PREVIOUSLY RECORDED ON PRAIRIE RIDGE (EASEMENT TEXT MODIFIED VIA THIS CSM)

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

70'x80' DEDICATED MONUMENT SIGN, ACCESS AND MAINTENANCE EASEMENT (EASEMENT 4 - PREVIOUSLY DEDICATED ON PRAIRIE RIDGE)

Nonexclusive easements coextensive with the area shown as a 70' X 80' Dedicated Monument Sign Access and Maintenance Easement on Lot 1 of this CSM has been dedicated, given, granted and conveyed by V.K. Development Corporation to the Owner(s) of Lot 1 of this CSM for the purposes of placing, constructing, installing, repairing, replacing and maintaining monument signage benefiting the businesses on the aforementioned lots; and for all ingress, egress, planting, installing, replacing and maintaining related landscape elements. This Dedicated Monument Sign, Access and Maintenance Easement shall be exclusive, except for (1) such other easements as may be dedicated and conveyed herein with respect to the same area or any portion thereof and (2) such above-ground use, planting, care and maintenance responsibilities of the easement areas which shall be required by the Lot Owner as will not interfere with the improvements, uses and purposes of the Lot Owner and the Village as it relates to the easement. In the event of any conflict between the rights of the Lot Owner, the rights of the Village and the rights of other entities with respect to the Dedicated Monument Sign, Access and Maintenance Easement, the Village's rights under the easement shall be deemed to be superior. Unless the Village exercises the rights granted to it hereunder with respect to the easement, the Village shall have no obligation to do anything pursuant to its rights under the easement. The Lot Owner shall be responsible for the cost of construction, maintenance, repair and replacement of the monument signs and the cost of the associated electrical services and landscaping maintenance within the easement area. The easement rights include the perpetual right of the aforementioned Owner to enter upon Lot 1 of this CSM within the Dedicated Monument Sign, Access and Maintenance Easement area at any time that it may see fit, to use, maintain, repair, alter or reconstruct the monument signs and related improvements.

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

NEW EASEMENT DEDICATIONS

20' WIDE DEDICATED PRIVATE STORM WATER MANAGEMENT, ACCESS AND MAINTENANCE EASEMENT (A)

A nonexclusive easement coextensive with the area shown as a 20' Wide Dedicated Private Storm Water Management, Access and Maintenance Easement on Lots 1 and 2 of this CSM is hereby dedicated, given, granted and conveyed by the Owner / Land Divider to the Owner(s) of Lots 1 and 2 and the Village of Pleasant Prairie ("the Village") for storm water drainage purposes and for all related construction, installation, repair, alteration, replacement, landscaping, maintenance and ingress and egress. This 20' Wide Dedicated Private Storm Water Management, Access and Maintenance Easement shall be exclusive, except for (1) such other easements as may be dedicated and conveyed herein with respect to the same area or any portion thereof, (2) such above-ground use, planting, care and maintenance responsibilities of the easement area which shall be required by the Owner(s) of Lots 1 and 2 on which such easement is located as will not interfere with the improvements, uses and purposes of the Village and the Owner(s) of Lots 1 and 2 as they relate to the easement, and (3) such future parking lots, driveways, curbs and gutters, sidewalks, landscaping, landscape islands or other uses of the easement area as may be approved by the Village. In the event of any conflict between the rights of the Owner / Land Divider, the rights of the Village and the rights of the Owner(s) of Lots 1 and 2 or other entities with respect to the 20' Wide Dedicated Storm Water Management, Access and Maintenance Easement area, the Village's rights under the easement shall be deemed to be superior. Unless the Village exercises the rights granted to it hereunder with respect to the easement, the Village shall have no obligation to do anything pursuant to its rights under the easement. The Owner / Land Divider shall be responsible for all costs associated with the construction and maintenance of the storm sewer and drainageway improvements contained within the exclusive easement until such time as such maintenance responsibility is transferred to the Association. Any Village costs that may be incurred in the repair, alteration, replacement or maintenance activities of said improvements may be invoiced by the Village as a special charge against Lots 1 and 2 and any other properties using the easement area or said improvements.

The easement rights include the right to enter upon Lots 1 and 2 within the 20' Wide Dedicated Private Storm Water Management, Access and Maintenance Easement area at any time to reconstruct, maintain, use and repair the underground storm sewer main(s) and related appurtenances, which may in any manner be a part of or portion to such storm sewer mains for the purpose of conveying storm water under Lots 1 and 2, together with the right to excavate, reconstruct, maintain, use and repair the storm water management system improvements, and the further right to remove trees, bushes, parking/driveway pavement areas, landscaping, landscaped islands, sidewalks, curbs and gutters, signage, underground and other obstructions interfering with the location, reconstruction, use and maintenance of the storm water management system improvements.

This grant is further subject to the condition that the Association shall, at its expense, reconstruct and repair the storm water drainage system improvements as deemed necessary by the Village. Upon completion of any such reconstruction or repair to the storm water drainage system improvements, the Association will restore the easement area to its prior grade and condition including any restoration such as and without limitation, the replacement of pavement, concrete curbs and gutters, sidewalks, signage, landscaping or landscaped islands or any other improvements requiring repair resulting from such reconstruction and repair.

The Association may allocate any costs for which it is responsible hereunder to the Owners of Lots 1 and 2 and any other party using the easement area.

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

NEW EASEMENT DEDICATIONS

DEDICATED INGRESS, EGRESS AND CROSS ACCESS EASEMENT (B)

Nonexclusive easements coextensive with the area shown as a Dedicated Ingress, Egress and Cross Access Easement on Lots 1 and 2 of this CSM are hereby dedicated, given, granted and conveyed by the Owner / Land Divider to the Owner(s) of Lots 1 and 2 and the Village for vehicular and pedestrian ingress, egress and cross access purposes. In the event of any conflict between the rights of the Owner, the rights of the Village and the rights of the Lot Owner(s) or other entities with respect to the Dedicated Ingress, Egress and Cross Access Easement, the Village's rights under the easement shall be deemed to be superior. Unless the Village exercises the rights granted to it hereunder with respect to the easement, the Village shall have no obligation to do anything pursuant to its rights under the easement. The Owner(s) of Lots 1 and 2 shall be responsible for all costs associated with the construction, snow plowing and maintenance of the shared "private access drive(s)" and associated pavement and landscaping improvements.

DEDICATED VISION TRIANGLE EASEMENT (C)

Nonexclusive easements coextensive with the areas shown as a 15'x15' Dedicated Vision Triangle Easement on Lot 1 of this CSM are hereby dedicated, given, granted and conveyed by the Owner / Land Divider to the Owner of Lot 1 and the Village of Pleasant Prairie ("the Village") to maintain a clear sight line of vision at each identified intersection. There shall be no obstructions, such as but not limited to structures, signage, fences, vehicular parking, vegetation and shelters within the 15'x15' Dedicated Vision Triangle Easement between the heights of two (2) feet and ten (10) feet unless approved by the Village. This restriction is for the benefit of the traveling public and shall be enforceable by the Village.

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF OUTLOT 21 OF PRAIRIE RIDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 22 EAST, IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, MARK R. MADSEN, Professional Land Surveyor, hereby certify:

THAT I have prepared this Certified Survey Map at the direction of the OWNER / LAND DIVIDER; THAT the exterior boundaries are described as the Redivision of Outlot 21, of Prairie Ridge Subdivision, being that part of the Northwest 1/4 of the Northeast 1/4 of Section 8 Township 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County, Wisconsin described as follows: Begin at the Northeast corner of said Outlot 21 being a point on the South line of the South right-of-way of STH 50 (75th Street); run thence S00°02'48"W 300.00 feet to a point on the North line of the North right-of-way of 76th Street and a point on a curve of Southerly convexity whose radius is 23295.47 feet and whose chord bears S89°53'08"W 292.00 feet; thence Southwesterly 292.00 feet along the arc of said curve to the Easterly right-of-way of 94th Avenue; thence N00°02'48"E 300.01 feet along said Easterly line to the South right-of-way of STH 50 (75th Street) and the point of curvature of a curve of Southerly convexity whose radius is 22998.33 feet and whose chord bears S89°53'04"E 292.00 feet; thence Northeasterly 292.00 feet along the arc of said curve and said South line to the point of beginning. Containing 2.011 acres.

THAT said Certified Survey Map is a correct representation of all of the exterior boundaries of the land surveyed and the division thereof made and I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Village of Pleasant Prairie Land Division and Development Control Ordinance.

March 6, 2015

Mark R. Madsen, S-2271
Nielsen Madsen & Barber, S.C.
1458 Horizon Blvd., Suite 200
Racine, WI 53406
(262) 634-5588

OWNER'S CERTIFICATE OF DEDICATION

OLDACRE McDONALD, LLC, as Owner does hereby certified that it caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map and does further certify that this Certified Survey Map is required by s.236.34 to be submitted to the following for approval or objection: Village of Pleasant Prairie.

OLDACRE McDONALD, LLC

Signed: _____
Print Name: Andrew Prince,
President

IN WITNESS WHEREOF, this _____ day of _____, 2015.

Witness: _____

Peggy Herrick

From: Jean Werbie-Harris
Sent: Thursday, May 21, 2015 3:14 PM
To: Peggy Herrick
Subject: FW: BP Request

From: J. Michael McTernan [<mailto:jmm@addmlaw.com>]
Sent: Thursday, May 21, 2015 2:44 PM
To: Jean Werbie-Harris
Cc: Donald P. Gallo; Priti Patel; Matt Dahlem (mattdahlem@alphaterra.net); Tim Geraghty
Subject: BP Request

Dear Jean -

On behalf of my client, (VIDHYA Corp VIII Inc.) in connection with our request for BP Amoco's (10477 - 120th Avenue) extension of its conditional use permit, I kindly ask that the matter be opened on May 26, 2015, and then immediately continued until the June 8, 2015 Plan Commission meeting.

Thank you for your assistance, and we look forward to seeing you on June 8th the Plan Commission Meeting.

Mike

J. Michael McTernan
Attorney at Law
[Alia, DuMez, Dunn & McTernan, S.C.](#)
6633 Green Bay Road
Kenosha, WI 53142
262.654.8700 - Tele.
262.654.8600 - Facs.

- A. **PUBLIC HEARING AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #13-03** for the request of Attorney J. Michael McTernan agent for VIDHYA Corp, VIII, Inc., the property owners, to remove condition #54 and allow the BP Amoco gasoline station and convenience store located at 10477 120th Avenue to remain open after June 10, 2015 subject to the terms and conditions of the existing Conditional Use Permit and the Settlement Agreement between the Village and the property owners.

Recommendation:

The Village staff recommends that the Plan Commission continue the public hearing and table the requested Conditional Use Permit (condition #54) until the June 8, 2015 Plan Commission meeting. Payment of all outstanding invoices owing to the Village shall be made prior to June 8, 2015. The completion and agreement of an amended Settlement Agreement between the property owners and the Village by June 8, 2015 to be considered by the Village Board at their June 15, 2015 meeting. The recommendation is also subject to the comments and conditions of the Village staff report of May 26, 2015.

VILLAGE STAFF REPORT OF JUNE 9, 2014

CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT #13-03 for the request of Attorney J. Michael McTernan agent for VIDHYA Corp, VIII, Inc., the property owners, to remove condition #54 and allow the BP Amoco gasoline station and convenience store located at 10477 120th Avenue to remain open after June 10, 2015 subject to the terms and conditions of the existing Conditional Use Permit and the Settlement Agreement between the Village and the property owners.

PUBLIC HEARING COMMENTS:

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

FINDINGS OF FACT

1. The petitioner is requesting a 2nd Amendment to Conditional Use Permit #13-03 to allow the BP Amoco gasoline and convenience store located at 10477 120th Avenue to remain open past June 10, 2015. (**Exhibit 1**)
2. The subject property is known as Lot 14 of CSM 1489 located in a part of U.S. Public Land Survey Section 30, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-302-0130.
3. The property is zoned B-4, PUD Freeway Service Business District with a Planned Unit Development Overlay and a gasoline station requires a Conditional Use Permit to operate in the B-4 District.
4. Previous Approvals:
 - a. On November 19, 2012 the Plan Commission approved a Conditional Use Permit #12-10 (**Exhibit 2**) including site and operational plans to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment filtration system that treats existing contaminated ground water from several reported hazard substance releases at the BP site. This Conditional Use Permit approval was subject to compliance with the Settlement Agreement approved by the Village Board on November 29, 2012 and the 53 additional conditions. The Conditional Use Permit was valid until May 1, 2013. (A full copy of the Settlement Agreement is on file with the Village).
 - b. On May 28, 2013 the Plan Commission approved Conditional Use Permit #13-03 (**Exhibit 3**) to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment filtration system that will treat existing contaminated ground water from several reported hazard substance releases at the site. This approval was subject to compliance with the Settlement Agreement approved by the Village Board on November 29, 2012, the 1st Amendment to the Settlement Agreement approved by the Village Board on April 1, 2013 and the 53 additional conditions. The Conditional Use Permit was valid until June 10, 2014. (A full copy of the Settlement Agreement and 1st Amendment to the Settlement Agreement is on file with the Village).
 - c. On January 13, 2014 the Plan Commission approved the 1st Amendment to Conditional Use Permit 13-03 (**Exhibit 4**) to allow BP Amoco to continue to operate the gasoline station and convenience store with the approval of Settlement Agreement Amendment #2 which addresses the request for modified analytical test parameters, discharge water standards and reporting

requirements of the carbon treatment filtration system that will treat existing contaminated ground water from several reported hazard substance releases at the site located at 10477 120th Avenue. This approval was subject to compliance with the Settlement Agreement approved by the Village Board on November 29, 2012, the 1st Amendment to the Settlement Agreement approved by the Village Board on April 1, 2013, the 2nd Amendment to the Settlement Agreement approved by the Village Board on February 3, 2014 and the 53 additional conditions. The Conditional Use Permit was valid until June 10, 2014. (A full copy of the Settlement Agreement and 1st Amendment to the Settlement Agreement is on file with the Village).

- d. On June 9, 2014 the Plan Commission approved the 2nd Amendment to Conditional Use Permit 13-03 (**Exhibit 5**) to allow BP Amoco to continue to operate the gasoline station and convenience store. This approval was subject to compliance with the Settlement Agreement approved by the Village Board on November 29, 2012 and the 1st Amendment to the Settlement Agreement approved by the Village Board on April 1, 2013, the 2nd Amendment to the Settlement Agreement approved by the Village Board on February 3, 2014 and 53 additional conditions. The Conditional Use Permit (2nd Amendment) is valid until June 10, 2015. (A full copy of the Settlement Agreement and 1st and 2nd Amendments to the Settlement Agreement are on file with the Village).

[Note: The findings of fact and the public hearing records of the above noted approvals are hereby included as part of this record and are available for viewing at the Village Hall].

5. Pursuant to the Village Engineer the Owners are currently in compliance with the Settlement Agreement and its amendments as referenced above. Continued monitoring is being completed by the Village to ensure that continued compliance is being maintained. *Information from the Village Engineer's May 19, 2015 Memorandum is provided below:*

Background

In 2011, it was reported that petroleum was being discharged from the BP gas station's on-site storm sewer system to the STH 165 ditch line. The petroleum discharge is an illicit storm water discharge which violates Village Ordinances. Following several reports, observations, and citations, the Village entered into a settlement agreement with Vidhya Corp VIII, Inc. on November 19, 2012 as a means to address the illicit discharges. As the project progressed, the settlement agreement was amended twice; first, on April 1st, 2013 and again on February 3, 2014 in order to modify requirements.

The BP property has a prior record of contamination that was investigated from 2000 to 2004 with a WDNR case closure in 2006. With the new releases in 2011, the WDNR was notified and the WDNR opened a new contamination site case. The property owner must meet WDNR criteria and approval for site case closure, however, there is no specified timeframe set by the WDNR to accomplish this. WDNR does not oversee the property owner's project in this regard.

The settlement agreement contains remedial and reporting requirements to bring the property into compliance with Village Ordinances. Without going into detail of each specific requirement, the actions taken to address the illicit discharge include the following broad scope items:

A. A site investigation to determine the source and extent of the contamination.

B. Remedial plans and actions to: a) remove contaminated soils from the ditch line by the storm sewer discharge location, and b) prevent site contamination from further contributing to illicit discharges.

C. Sampling, inspections, and reporting to monitor the site and the remedial treatment system.

Site Status

Over the past several years, Vidhya and their consultants have taken actions in order to comply with the settlement agreement and have made progress in addressing illicit discharges. The following broad scope items have been completed to date:

- *A treatment system has been designed and installed to extract and treat contaminated groundwater that contains petroleum product. The groundwater is an identified contributing source for the illicit discharge due to the high groundwater elevations and interaction with existing storm sewer trenches. The treatment system is currently operational with on-going sampling and monitoring requirements.*

- *Contaminated soils were removed from the STH 165 ditch line in 2014.*

- *The site investigation continued in 2014 with additional soil and groundwater investigation(s) which is documented in a report prepared by Fehr Graham, Vidhya's environmental consultant. The report was submitted and reviewed by the WDNR and Village. The site investigation is not finished and requires on-going sampling and monitoring of the site.*

Over the past year, there was one known illicit discharge that was reported during a routine Village inspection on September 4, 2014 in which a petroleum sheen was noticed at the storm sewer outfall. At the same time there was an extraction pump operational issue associated the treatment system, in which the groundwater elevation had risen above the settlement agreement height of 8-feet below ground level. The pump issue was resolved and subsequent inspections showed no further illicit discharges.

The steps accomplished to date, although a struggle for both parties, have helped to prevent illicit discharges. An amendment to the settlement agreement (#3) is being worked out to modify sampling and analytical testing requirements and to provide requirements for the on-going site investigation based on the findings of the site investigation report and the WDNR's review comments.

Village Engineer Recommendations

Vidhya, is currently in substantial compliance with the Settlement Agreement with the exception of the following:

As of May 15, 2015, Vidyha owes \$18,283.85 in unpaid invoices. This includes staff costs, consultant fees, legal fees, and other operational charges such as sanitary sewer charges.

The site investigation and remedial activities are not complete for the site. Progress is on-going with investigative, sampling, and active reporting requirements still being actively worked on. There is and will be continuing issues to be worked through by both parties as the project progresses and leads to a long term conclusion. My recommendation is that the Conditional Use Permit be extended for a period of 1-year due to the on-going activities and the need to hold the Owner accountable for the completion of the site investigation, operation of the remediation system, testing, and reporting requirements.

6. The Village staff will be recommending approval of the 3rd Amendment to Conditional Use Permit #13-03 for a one (1) year extension of the CUP subject to all of 53 conditions and after the payment of all outstanding invoices owing to the Village and the completion and agreement of an amended Settlement Agreement between the property owners and the Village to be completed and considered by the Village Board at their June 1, 2015 meeting. Upon satisfaction of the items above, Condition #54 would be proposed as follows:
 54. **This Conditional Use Permit #13-03 3rd Amendment is valid until June 14, 2016. In order for this facility to continue to operate after June 14, 2016, an application for an extension to this Conditional Use Permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 14, 2016.**
7. The petitioner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on May 7, 2015 of this hearing. Public hearing notices were also published in the Kenosha News on May 12 and 19, 2015.
8. The petitioner and the property owner were emailed a copy of this memorandum on May 21, 2015.
9. According to the Article XVIII of the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials that the project as planned, will not violate the intent and purpose of all Village Ordinance and meets the minimum standards for granting of a Conditional Use Permit. Furthermore, the Plan Commission shall not approve any site and operational plan application without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements and all other applicable federal, State or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, noise, storm water management, streets and highways and fire protection.

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

The Village staff has determined that based upon the foregoing information presented in the application and related materials provided, adherence to the Settlement Agreement and Amendments #1 and, #2, and approval of Amendment #3, the payment of outstanding invoices, and the comments received at public hearing, that the proposed use would meet the following standards for granting a Conditional Use Permit in that:

- a. The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;
- b. The project does not impair an adequate supply of light and air to the adjacent properties;
- c. The project does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire and Rescue Department;
- d. The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- e. There is no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed project; and
- f. The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining Zoning Districts and/or neighborhood.

Based on the foregoing information and the comments received during the public hearing, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for the granting of a Conditional Use Permit, as specified above, then approval of the 3rd Amendment to Conditional Use Permit #13-03 shall be approved subject to the following conditions:

1. Subject to compliance with Conditional Use Permit #13-03 as amended on January 13, 2014 and June 9, 2014 with the following change to condition #54:
54. This Conditional Use Permit is valid until June 14, 2016. In order for this facility to continue to operate after June 14, 2016, an application for an extension to this conditional use permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 14, 2016.
2. The owner shall execute the 3rd Amendment to the Conditional Use Permit #13-03 document as prepared by the Village and pay the required recording and filing fees by July 1, 2015. The Village will then execute the document and record the document at the Kenosha County Register of Deeds Office.

May 26, 2015 Staff Recommendation:

Following the public hearing discussion, the Village staff recommends that the Plan Commission **table the requested 3rd Amendment to the Conditional Use Permit (condition #54) until the June 8, 2015 Plan Commission meeting. Payment of all outstanding invoices owing to the Village and the completion and agreement of an amended Settlement Agreement between the property owners and the Village shall be completed and considered by the Village Board at their June 1, 2015 meeting.**



Rev. 1/98
2/01
1/04

Filed 3/30 2015 Published 5/12 2015
Public Hearing 5/26 2015 5/19 2015
Fee Paid 3/30 2015 Approved _____ 20____
Notices Mailed 5/7 2015 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: VIDHYA Corp VIII, Inc.
d/b/a BP Gas & Convenience Store

on the property located at: 10477 - 120th Ave and is legally described as follows
(address)

as follows: Part of the Northeast 1/4 of the Northwest 1/4 of Section 30,
Township 1 North, Range 22 East, Lot 14 of Certified Survey Map No. 1489

Tax Parcel Number(s): 92-4-122-302-0130

The proposed use for this property is: BP Gas & Convenience Store

Current zoning of the property: PUD

Proposed zoning of the property: SAME

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: VIDHYA Corp VIII, Inc. OWNER'S AGENT: J. Michael McTernan

Print Name: Dixit Patel

Print Name: J. Michael McTernan

Signature: Dixit Patel

Signature: J. Michael McTernan

Address: 1491 W. Roosevelt Road

Address: 6633 Green Bay Road

West Chicago IL 60185
(City) (State) (Zip)

Kenosha WI 53142
(City) (State) (Zip)

Phone: 630.479.1529

Phone: 262.654.8700

Fax: 630.562.3349

Fax: 262.654.8600

Date March 30, 2015

Date: March 30, 2015

SITE AND OPERATIONAL PLAN

BP Amoco Gas Station and Convenience Store located at 10477 – 120th Avenue is a self-service gasoline and diesel station, selling petroleum products to consumers of passenger vehicles and light trucks. It does not service or sell petroleum products to over-the-road trucks, cabs or other specialized commercial or construction vehicles. In addition, BP operates a convenience store that provides various grocery store and automobile supplies and accessories, along with a quick service restaurant, bakery, self-service coffee bar and soda fountain, and an e-commerce area for computerized assistance with weather and traffic information. The quick service restaurant provides seating for approximately 12 people and quick food selections of bakery items, sandwiches, soups and salads. The facility also provides separate men's and women's washrooms, and various other related convenience service amenities, including but not limited to, vacuum cleaners and compressed air for automobile maintenance, automated teller machine, along with the sale of alcohol and tobacco products as authorized by its license.

Due to several reported hazardous substance releases at the BP gas station dating back to 1993, the owner's consultants have developed and installed a carbon treatment system on the Property that has already successfully treated more than 250,000 gallons of contaminated ground water. This system has been installed in an enclosed and heated facility, located adjacent to the southern end of the existing gas station. This building addition was constructed in order to house the filters and pumps that are necessary to operate the operational carbon treatment system. Recently, the system was expanded to include the installation of a lead filters that were installed in order to clean the water of lead before it is discharged into the ditch. The building additional and all required improvements requested by the Village have been completed. The carbon treatment system is detailed in the Settlement Agreement entered into between the property owner and the Village, and the property owner has been obtained all applicable permits necessary for all of the applicable improvements noted herein.

In addition, the owner is in the process of completing supplemental site investigation in order to perform additional site remediation, including the hydro excavation of the ditch north of the site.

The expansion of the building measures approximately 375 square feet (25 feet 7 inches by 14 feet 7 inches) and closely "squares" the building foot print, leaving the southern emergency exit in place. The same exterior building materials (brick and trim) were used in order to match the expansion to the existing building.

The carbon treatment system will not create any disturbance to the surrounding property owners as it is housed in an enclosed and insulated expansion of the building. Even though more than 250,000 gallons of water have been treated to date, it is anticipated that the system will operate off and on for several years, dependent on the rise of ground water due to changes in the weather.

This system will not require any additional staff to manage and operate, as it will be automated and will only occasionally require the replacement of carbon filters that will be disposed of using sealed

drums provided and retrieved by qualified environmental disposal companies, along with the occasional replacement of the lead filtering bags .

Moreover, the system will not alter existing operations of the gasoline station and convenience store, as those operations will continue as normal.

As currently exists, BP is currently open for business between the hours of 6am through 11pm, seven days a week, but maintains expanded hours (up to 24 hours a day) during the various peak holiday seasons. During those expanded times, additional staff is maintained in order to service the increase in customers. Deliveries and shipments occur during those times that BP is open to the public. Currently, there are seven full time and three part time employees, but additional seasonal help is retained during those peak holiday seasons. Currently, there are only two shifts of employees, but a third shift is added when the hours are expanded. There are currently 21 parking spaces on the site due the expansion of the building, two parking spaces were removed, leaving a total of 21 parking spaces (one handicapped access parking space, and twenty conventional parking spaces).

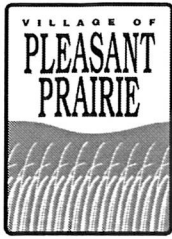
It is anticipated that traffic volumes of 500 to 1,000 daily trips will continue, and no truck trips other than deliveries of goods to the BP. The main products being sold at the BP include, but are not limited to: gasoline and diesel fuels, related automobile supplies and parts, along with food and beverages, all of which are currently being sold at the BP, which will continue after the expansion. Aside from the installation of the carbon treatment system, all of the existing equipment will continue to be utilized in the operation of the BP (petroleum delivery systems, coolers, ovens, and related food preparation equipment).

Aside from the disposal of the carbon and lead filters, the BP only has normal household cleaners used in the maintenance of the business in order to clean the food preparation and service areas, floors and bathrooms. The only waste that is disposed of at the BP is spoiled food and drink products, grey water waste and sanitary waste from the bathrooms.

The owners have installed and maintained a fully functioning and operational security camera system and recently upgraded hold-up alarm system. This systems were upgraded, pursuant to terms and conditions approved by the Village. Technicians made those modifications to the system in order to comply with the current Village ordinances.

Moreover, the owners retain landscapers to regularly maintain, replace and upgrade the landscaping that surrounds the property, including the removal of all snow and ice from the parking lots, driveways and sidewalks. In addition, employees walk the property on a regular basis to pick up debris, empty garbage cans, restock self-service washer fluids and paper towels, and to monitor the entire property in order to maintain it in a first class condition.

The owner maintains all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies.



**VILLAGE OF PLEASANT PRAIRIE
CONDITIONAL USE GRANT NO. 12-10**

Before the Village of Pleasant Prairie Plan Commission,
Kenosha County, Wisconsin, in regard to the property
located at 10477 120th Avenue.



DOCUMENT
1693391

RECORDED
At Kenosha County, Kenosha WI 53140
JoEllyn N. Storz, Register of Deeds
January 25, 2013 2:26 PM
\$30.00
Pages 8

Return to:

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

Tax Parcel Number:

92-4-122-302-0130 8

Legal Description: Lot 14 of CSM 1489 (Document #872365) located in the Northwest One Quarter of U.S. Land Survey Section 30, Township 1 North, Range 22 East in the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, Kenosha County Wisconsin.

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

WHEREAS, such petition having been made to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site and public hearing held thereon, and the Village Plan Commission having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, that the grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing, and in particular the memorandum from the Village Fire & Rescue Department, the project meets the following standards for granting a Conditional Use Permit in that the project/use:

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire --in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department.
- The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.

- There are no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use.
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining zoning districts and land uses.

NOW THEREFORE, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site.

1. Compliance with PUD Ordinance #12-40, including the Digital Security Imaging System Agreement on file with the Village.
2. Compliance with the terms and conditions of the executed Settlement Agreement approved by the Village Board on November 19, 2012 on file with the Village.
3. Compliance with the Site and Operational Plans as conditionally approved by the Village Plan Commission on November 19, 2012 on file with the Village.
4. Compliance with the Preliminary Site Investigation Work Plan dated November 14, 2012. The Remedial Action Plan and Remedial Design Report shall be compliant with NR 700 shall be submitted to the Village.
5. Compliance with the WI DNR WPDES Permit issued on November 2, 2012.
6. Compliance with the Wisconsin Department of Transportation Work in the Right-of-Way Permit dated November 26, 2012.
7. All hard surfaced areas including the parking lot areas, drive lanes, paved areas adjacent to the pumps, sidewalks, etc. shall be clean, neat and free from pot holes or other cracks which present a safety risk to the pedestrians or traveling public. The hard surface areas of the site shall be maintained and free of any debris or potholes which may cause distractions or damages to vehicles. All pavement markings shall be done in yellow or white reflective paint.
8. The gas station and convenience store shall operate in an organized, well-kept, clean, neat and professional manner. The inside of the store shall be maintained, painted, and clean for the public. Damaged or dirty walls, floors, coolers, bathrooms, racking, displays lighting, etc. shall be taken care of or repaired promptly. Malfunctioning gas pumps shall be repaired as soon as possible.
9. A Kenosha County Health Department permit and regular inspections will be conducted on the premises. Violations may result in the suspension or revocation of the Health Permit and the Conditional Use Permit.
10. The hours of operation (when the public is allowed to enter or remain on site for business purposes) shall be limited from 5:00 a.m. to 12:00 a.m. daily. A Temporary Use Permit may be issued for 24-hour operations during any holiday period. A Temporary Use Permit may be issued for 24-hour operations during any holiday period subject to approval of the Village Police Chief. In addition, a 24-hour holiday operation may require the owners to enter into an agreement and pay for the overtime services of the Police Department, as determined by the Police Chief. Pursuant to the Zoning Ordinance and liquor license requirements, the store is allowed to be open until midnight; however, Class A Beer is only allowed to be sold from 8:00 a.m. to midnight and Class A Intoxicated Liquor is only allowed to be sold from 8:00 am to 9:00 p.m.

11. Currently, deliveries and shipments occur during the time that BP is open to the public.
12. The delivery hours or any other activities outside the principal building that might cause a disturbance to neighboring areas (e.g., outside loading or unloading, the arrival of deliveries, idling of delivery trucks, beeping of backing vehicles, and garbage pickup), except for snow removal, is allowed only from 6:00 a.m. to 10:00 p.m.
13. BP Amoco Gas Station and Convenience Store located at 10477 120th Avenue is a self-service gasoline and diesel station, selling petroleum products to consumers of passenger vehicles and light trucks. It does not service or sell petroleum products to over-the-road trucks, cabs or other specialized commercial or construction vehicles. In addition, BP operates a convenience store under the brand name AM/PM that provides various grocery store and automobile supplies and accessories, along with a quick service restaurant, bakery, self-service coffee bar and soda fountain, and an e-commerce area for computerized assistance with weather and traffic information. The quick service restaurant provides seating for approximately 12 people and quick food selections of bakery items, sandwiches, soups and salads. The facility also provides separate men's and women's washrooms, and various other related convenience service amenities, including but not limited to, vacuum cleaners and compressed air for automobile maintenance, automated teller machine, along with the sale of alcohol and tobacco products as authorized by its license.
14. Due to several reported hazardous substance releases at the BP gas station dating back to 1993, the owner's consultants are developing and installing a carbon treatment system that will treat contaminated ground water. This system needs to be installed in an enclosed and heated facility. As a result, the southeast corner of the building is being expanded in order to house the filters and pumps that are necessary to operate the carbon treatment system. This system is detailed in a Settlement Agreement being entered into between the property owner and the Village, and the property owner will obtain all applicable permits before installing said system.
15. The expansion of the building will measure approximately 420 square feet (30 feet by 15 feet) and will simply "square" the building foot print. The same exterior building materials (brick and trim) will be used in order to match the expansion to the existing building.
16. No through penetration between the new carbon room addition and the existing building shall be allowed to ensure no transfer of potentially toxic chemicals such as but not limited to carbon monoxide.
17. The 420 square foot addition shall not be used for the storage of any materials including but not limited, cleaning supplies, extra toilet paper or other supplies, merchandize or other products.
18. The 420 square foot addition is subject to compliance with the following conditions from the Village Building Inspection Department:
 - a. All building, plumbing, lighting and HVAC plans will need to be designed to the IBC Codes, prior to submitting (4 sets) for building permits from the Village of Pleasant Prairie. Since the total cubic footage of the accessory structure is less than 100,000 cubic ft. this can be a Municipal review. All sub-contractors will be required to apply for permits.
 - b. Halls, corridors, stairways, passageways, work aisles and other means of egress from factories, offices and mercantile buildings shall have emergency lighting and exit lighting per Article 700 of the NEC, SPS 316.46 Which requires interior and exterior lighting. The existing plans only show interior lighting. The Village Fire &

Rescue Department shall be contacted for further information and requirements. Contact Fire & Rescue Chief Doug McElmury at 262-694-8027.

- c. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, prior to the final inspection with the Village Building Inspection and Fire & Rescue Departments.
 - d. The electrical contractor will be required to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin.
 - e. All fire alarm installations require plan review and permit from the Village of Pleasant Prairie Fire & Rescue Department.
19. **Downspouts shall be tied into the on-site storm sewer system and shall not be discharged onto existing pavement.**
20. Landscaping on the site shall be installed, watered, weeded, trimmed and maintained in good condition at all times. Litter and debris shall be removed from the landscaping on a daily basis. Damaged, dying or dead plant material shall be removed and new plantings shall be installed on a regular basis. Mulch shall be raked in place on a regular basis and replaced yearly.
21. The carbon treatment system will not create any disturbance to the surrounding property owners as it will be housed in an enclosed and insulated expansion of the building. It is anticipated that the system will operate off and on for several years, dependent on the rise of ground water due to changes in the weather.
22. This system will not require any additional staff to manage and operate, as it will be automated and will only occasionally require the replacement of carbon filters that will be disposed of using sealed drums provided and retrieved by qualified environmental disposal companies. Moreover, the system will not alter existing operations of the gasoline station and convenience store, as those operations will continue as normal.
23. Currently, there are seven (7) full time and three (3) part time employees, but additional seasonal help is retained during peak holiday seasons. Currently, there are only two shifts of employees, but a third shift has been added when the hours are expanded during the Midnight Madness house Thanksgiving evening/Black Friday. There are currently 23 parking spaces on the site, but with the expansion of the building, two (2) parking spaces are being removed, leaving a total of 21 parking spaces (one handicapped access parking space, and 20 conventional parking spaces). The number of parking spaces excludes the cars that can be parked at the pumps.
24. Pursuant to the Village Zoning Ordinance the minimum parking requirements for a gasoline station with a convenience store is five (5) spaces per each 2,000 square feet of gross floor area plus 1 space for each employee on the largest shift plus the required handicapped accessible parking spaces pursuant to the state code. Therefore, a minimum of 13 spaces plus their required handicapped accessible parking spaces is required (5 spaces plus 3 spaces plus 5 spaces (assuming no more than five workers on site)).
25. It is anticipated that traffic volumes of 500 to 1,000 daily trips will continue, and there will be no truck trips other than deliveries of goods to the BP. The main products being sold at the BP include, but are not limited to: gasoline and diesel fuels, related automobile supplies and parts, along with food and beverages, all of which are currently being sold at the BP, which will continue after the expansion. Aside from the installation of the carbon treatment system, all of the existing equipment will continue to be utilized in the operation

of the BP (petroleum delivery systems, coolers, ovens, and related food preparation equipment).

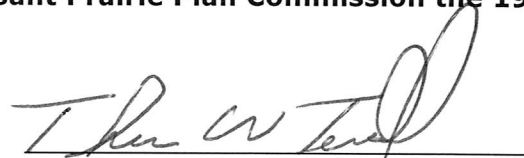
26. Aside from the disposal of the carbon filters, the BP only has normal household cleaners used in the maintenance of the business in order to clean the food preparation and service areas, floors and bathrooms. The only waste that is disposed of at the BP is spoiled food and drink products, grey water waste and sanitary waste from the bathrooms.
27. In accordance with the DSIS Agreement, the security cameras shall be inaccessible to employees. Conspicuous signs shall be posted at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times and the Village of Pleasant Prairie Police Department shall be promptly provided any requested video. The recording shall be kept in an archive for a minimum of two weeks and the Pleasant Prairie Police Department shall have remote access to the system to monitor and download video. Specifically, internet access shall be provided which would allow the Police Department to have "live time" monitoring of the BP store and site.
28. The parking lot shall be illuminated to provide sufficient lighting for the public's safety and for the security cameras to operate effectively per the Village's satisfaction.
29. A clear and unobstructed view of the cash registers and transaction areas shall be maintained from the internal 30-foot wide on-site circulation access roadway.
30. The building shall be equipped with and shall use an inaccessible drop safe.
31. Between 10:00-12:00 p.m. and 5:00-7:00 a.m. at least two (2) employees shall be working on-site unless the business has taken measures to protect a lone clerk such as the installation of bullet resistant glass or other equipment as approved by the Police Department, making the lone employee inaccessible.
32. Installation and full operation of a hold-up alarm, which is monitored by a UL listed central station with functioning telephone service, shall be used at the BP station building.
33. The cash register shall not be left unattended for periods of time when the convenience store is open to the public.
34. A height strip shall be located at each doorway entering and exiting the convenience store.
35. The owner shall retain landscapers to regularly maintain, replace and upgrade the landscaping that surrounds the property, including the removal of all snow and ice from the parking lots, driveways and sidewalks. In addition, employees walk the property on a regular basis to pick up debris, empty garbage cans, restock self-service washer fluids and paper towels, and to monitor the entire property in order to maintain it in a first class condition.
36. The owner shall obtain all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies.
37. All signs shall comply with Article X of Chapter 420 of the Village Municipal Code and with the BP Amoco PUD Ordinance on file with the Village. All signs shall be in good working order, properly maintained or repaired as needed, painted and well-kept.
38. The following types of signs are prohibited and shall not be installed. For a complete listing of prohibited signs refer to the Article X of Chapter 420 of the Village Municipal Code.:
 - a. Any sign with flashing or pulsating lights.

- b. Any inflatable sign, including but not limited to tethered balloon signs or other gas-filled figures.
 - c. Any temporary, spring-action metal advertising sign used, for example, to advertise cigarette or gasoline prices.
 - d. Any spotlights used as visual attention-getters.
 - e. Strings of lights, tinsel, pennants, pinwheels or other similar devices hanging between two points or attached to light poles, cars, landscaping or structures on the property.
39. The Village has received numerous complaints relating to the operations of the station site including litter and garbage on the site; broken light standards and signs; inoperable pumps; pumps that don't issue receipts; dead landscaping; violation of security protocol; interior building damage to walls, floors, painting, counters; garbage overflowing; illegal outside storage of product; allowing products to be stored outside; allowing a pothole to remain in the drive area causing damage of cars etc. These ongoing complaints must be addressed on a daily basis by the owners as a responsible business owner in the Village. The Zoning staff will conduct inspections on a semi-annual basis to ensure compliance with these issues.
40. The use, operations, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved Site and Operational Plans, the Conditional Use Permit, Liquor and Tobacco Licenses and all other applicable provisions of the Village Municipal Code and all other applicable Village, County, State or federal regulations.
41. The use, operations, site, building and structures shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the Performance Standards set out in Section 420-38 of the Village Zoning Ordinance.
42. The site, building and garbage dumpster structure shall be maintained in a clean, neat, presentable, aesthetically pleasing, odor-free, structurally sound and nonhazardous condition inside and outside of the store at all times. All litter and debris outside of the structures shall be promptly removed on a daily basis. The garbage dumpster enclosure doors shall not be left open on garbage day and shall be promptly closed and secured after the pick-up of garbage.
43. The handicapped parking spaces shall be appropriately signed, painted on the pavement and maintained pursuant to ADA requirements.
44. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.
45. All required landscaping shall be installed per the plans and written verification and/or certification shall be provided to the Village by the landscape installer/designer that the landscaping has been installed in accordance with the Village approved landscape plan.
46. On site building alterations/modifications or changes in the operations or use of the site shall be in strict conformity to the Village approved plans and the Settlement Agreement approved in connection with the petition for this Conditional Use Permit. Violations of these conditions may result in the suspension or revocation of the conditional use permit and zoning violation prosecution, or both.
47. All uses shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water discharges and storm water management, noise, streets and highways and

fire protection; and in the event of conflicting requirements or standards, the most restrictive as determined by the Village shall apply.

48. All required permits shall be obtained from the Village prior to commencing work.
49. Operation of the uses granted herein shall be in strict conformity to the approved and documents filed and approved in connection with the petition for Site and Operational Plan approval. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
50. No changes to the exterior site, building or structures shall be made without the Village's approval. No painting of the exterior masonry of the BP station building or garbage dumpster enclosure shall be permitted, unless expressly permitted by the Village. Colors for building trim work shall be approved by the Village.
51. Any addition, alteration, extension, expansion or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
52. The Conditional Use Permit shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
53. The Conditional Use Permit is subject to amendment and termination in accordance with the provisions of the Village General Zoning and Floodplain/Shoreland Zoning Ordinance.
54. **This Conditional Use Permit is valid until May 1, 2013. In order for this facility to continue to operate after May 1, 2013, this conditional use permit shall be reconsidered by the Plan Commission at a public hearing and amended prior to May 1, 2013.**

Granted by the action of the Village of Pleasant Prairie Plan Commission the 19th day of November 2012.



Thomas W. Terwall
Plan Commission Chairman

ATTEST:



Donald Hackbarth
Secretary

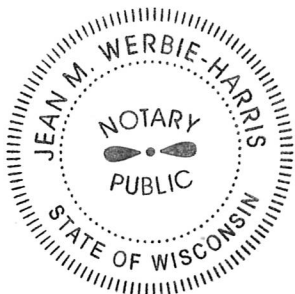
[Owners signature on following page]

OWNER: VIDHYA Corp, VIII, Inc.

Dixit Patel
Dixit Patel
President

ACKNOWLEDGMENT
STATE OF Wisconsin)
 SS
Kenosha COUNTY)

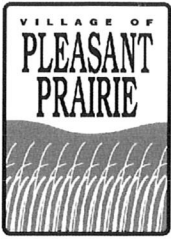
This instrument was acknowledged before me in Pleasant Prairie (city)
Wisconsin (state), on this 12~~4~~ day of December, 2012 by
Dixit Patel, President on behalf of VIDHYA Corp, VIII, Inc.



Jean M. Werbie-Harris
Print Name: Jean M. Werbie-Harris
Notary Public, Kenosha County, WI
My Commission Expires: 1/5/2014

THIS INSTRUMENT WAS DRAFTED BY:

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



**VILLAGE OF PLEASANT PRAIRIE
CONDITIONAL USE GRANT NO. 13-03**

Before the Village of Pleasant Prairie Plan Commission,
Kenosha County, Wisconsin, in regard to the property
located at 10477 120th Avenue.



DOCUMENT
1709490

RECORDED
At Kenosha County, Kenosha WI 53140
JoEllyn N. Storz, Register of Deeds
August 14, 2013 10:09 AM
\$30.00
Pages 8

Return to:

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

Tax Parcel Number:

92-4-122-302-0130 8

Legal Description: Lot 14 of CSM 1489 (Document #872365) located in the Northwest One Quarter of U.S. Land Survey Section 30, Township 1 North, Range 22 East in the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, Kenosha County Wisconsin.

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

WHEREAS, such petition having been made to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site and public hearing held thereon, and the Village Plan Commission having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, that the grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing and the comments presented in this document that the project meets the following standards for granting a Conditional Use Permit in that the project/use:

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department.
- The project does not appear to create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.

- There are no existing identified hazards, dangers, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use. However, previous soil contaminations are being addressed as part of and as a condition of this Conditional Use Permit
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining zoning districts and land uses.

NOW THEREFORE, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site.

1. Compliance with PUD Ordinance #12-40, including the Digital Security Imaging System Agreement on file with the Village.
2. Compliance with the terms and conditions of the executed Settlement Agreement approved by the Village Board on November 19, 2012 and amended on April 1, 2013 both on file with the Village.
3. Compliance with the Site and Operational Plans as conditionally approved by the Village Plan Commission on November 19, 2012 on file with the Village.
4. Compliance with the Preliminary Site Investigation Work Plan dated November 14, 2012. The Remedial Action Plan and Remedial Design Report shall be compliant with NR 700 shall be submitted to the Village.
5. Compliance with the WI DNR WPDES Permit issued on November 2, 2012.
6. Compliance with the Wisconsin Department of Transportation Work in the Right-of-Way Permit dated November 26, 2012.
7. Provide to the Village a copy of an ongoing agreement shall be executed by the Owner and an appropriate environmental firm to accomplish the following:
 - to monitor the operation and maintenance of the groundwater treatment system on a regular basis;
 - to continue influent and effluent sampling and analysis on the schedule prescribed in the stipulated agreement; and
 - to respond as needed to onsite emergencies related to the treatment system and alarms.
8. All hard surfaced areas including the parking lot areas, drive lanes, paved areas adjacent to the pumps, sidewalks, etc. shall be clean, neat and free from pot holes or other cracks which present a safety risk to the pedestrians or traveling public. The hard surface areas of the site shall be maintained and free of any debris or potholes which may cause distractions or damages to vehicles. All pavement markings shall be done in yellow or white reflective paint.
9. The gas station and convenience store shall operate in an organized, well-kept, clean, neat and professional manner. The inside of the store shall be maintained, painted, and clean for the public. Damaged or dirty walls, floors, coolers, bathrooms, racking, displays lighting, etc. shall be taken care of or repaired promptly. Malfunctioning gas pumps shall be repaired as soon as possible.
9. A Kenosha County Health Department permit and regular inspections will be conducted on the premises. Violations may result in the suspension or revocation of the Health Permit and the Conditional Use Permit.

10. The hours of operation (when the public is allowed to enter or remain on site for business purposes) shall be limited from 5:00 a.m. to 12:00 a.m. daily. A Temporary Use Permit may be issued for 24-hour operations during any holiday period subject to approval of the Village Police Chief. In addition, a 24-hour holiday operation will require the owners to enter into an agreement and pay for the overtime services of the Police Department, as determined by the Police Chief. Pursuant to the Zoning Ordinance and liquor license requirements, the store is allowed to be open until midnight; however, Class A Beer is only allowed to be sold from 8:00 a.m. to midnight and Class A Intoxicated Liquor is only allowed to be sold from 8:00 am to 9:00 p.m.
11. Currently, deliveries and shipments are allowed only during the time that BP is open to the public.
12. The delivery hours or any other activities outside the principal building that might cause a disturbance to neighboring areas (e.g., outside loading or unloading, the arrival of deliveries, idling of delivery trucks, beeping of backing vehicles, and garbage pickup), except for snow removal, is allowed only from 6:00 a.m. to 10:00 p.m.
13. BP Amoco Gas Station and Convenience Store located at 10477 120th Avenue is a self-service gasoline and diesel station, selling petroleum products to consumers of passenger vehicles and light trucks. It does not service or sell petroleum products to over-the-road trucks, cabs or other specialized commercial or construction vehicles. In addition, BP operates a convenience store that provides various grocery store and automobile supplies and accessories, along with a quick service restaurant, bakery, self-service coffee bar and soda fountain, and an e-commerce area for computerized assistance with weather and traffic information. The quick service restaurant provides seating for approximately 12 people and quick food selections of bakery items, sandwiches, soups and salads. The facility also provides separate men's and women's washrooms, and various other related convenience service amenities, including but not limited to, vacuum cleaners and compressed air for automobile maintenance, automated teller machine, along with the sale of alcohol and tobacco products as authorized by its license.
14. Due to several reported hazardous substance releases at the BP gas station dating back to 1993, the owner's consultants have developed and installed a carbon treatment system that treats contaminated ground water. This system needs to be installed in an enclosed and heated facility. As a result, the southeast corner of the building was expanded in order to house the filters and pumps that are necessary to operate the carbon treatment system. This system is detailed in a Settlement Agreement being entered into between the property owner and the Village, and the property owner obtained all applicable permits before installing said system.
15. The expansion of the building measures approximately 420 square feet (30 feet by 15 feet) and simply "square" the building foot print. The same exterior building materials (brick and trim) were used in order to match the expansion to the existing building.
16. No through penetration between the new carbon room addition and the existing building shall be allowed to ensure no transfer of potentially toxic chemicals such as but not limited to carbon monoxide.
17. The 420 square foot addition shall not be used for the storage of any materials including but not limited, cleaning supplies, extra toilet paper or other supplies, merchandize or other products.

18. The 420 square foot addition is subject to compliance with the following conditions from the Village Building Inspection Department:
 - a. All building, plumbing, lighting and HVAC plans shall be designed to the IBC Codes, prior to submitting (4 sets) for building permits from the Village of Pleasant Prairie. Since the total cubic footage of the accessory structure is less than 100,000 cubic ft. this can be a Municipal review. All sub-contractors will be required to apply for permits.
 - b. Halls, corridors, stairways, passageways, work aisles and other means of egress from factories, offices and mercantile buildings shall have emergency lighting and exit lighting per Article 700 of the NEC, SPS 316.46 Which requires interior and exterior lighting. The existing plans only show interior lighting. The Village Fire & Rescue Department shall be contacted for further information and requirements. Contact Fire & Rescue Chief Doug McElmury at 262-694-8027.
 - c. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, prior to the final inspection with the Village Building Inspection and Fire & Rescue Departments.
 - d. The electrical contractor shall to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin.
 - e. All fire alarm installations require plan review and permit from the Village of Pleasant Prairie Fire & Rescue Department.
19. Downspouts shall be tied into the on-site storm sewer system and shall not be discharged onto existing pavement.
20. Landscaping on the site shall be installed, watered, weeded, trimmed and maintained in good condition at all times. Litter and debris shall be removed from the landscaping on a daily basis. Damaged, dying or dead plant material shall be removed and new plantings shall be installed on a regular basis. Mulch shall be raked in place on a regular basis and replaced yearly.
21. The carbon treatment system will not create any disturbance to the surrounding property owners as it will be housed in an enclosed and insulated expansion of the building. It is anticipated that the system will operate off and on for several years, dependent on the rise of ground water due to changes in the weather.
22. This system will not require any additional staff to manage and operate, as it will be automated and will only occasionally require the replacement of carbon filters that will be disposed of using sealed drums provided and retrieved by qualified environmental disposal companies. Moreover, the system will not alter existing operations of the gasoline station and convenience store, as those operations will continue as normal.
23. Currently, there are seven (7) full time and three (3) part time employees, but additional seasonal help is retained during peak holiday seasons. Currently, there are only two shifts of employees, but a third shift has been added when the hours are expanded during the Midnight Madness hours for Thanksgiving evening/Black Friday. There are currently 23 parking spaces on the site, but with the expansion of the building, two (2) parking spaces are being removed, leaving a total of 21 parking spaces (one handicapped access parking space, and 20 conventional parking spaces). The number of parking spaces excludes the cars that can be parked at the pumps.

24. Pursuant to the Village Zoning Ordinance the minimum parking requirements for a gasoline station with a convenience store is five (5) spaces per each 2,000 square feet of gross floor area plus 1 space for each employee on the largest shift plus the required handicapped accessible parking spaces pursuant to the state code. Therefore, a minimum of 13 spaces plus their required handicapped accessible parking spaces is required (5 spaces plus 3 spaces plus 5 spaces (assuming no more than five workers on site)).
25. It is anticipated that traffic volumes of 500 to 1,000 daily trips will continue, and there will be no truck trips other than deliveries of goods to the BP. The main products being sold at the BP include, but are not limited to: gasoline and diesel fuels, related automobile supplies and parts, along with food and beverages, all of which are currently being sold at the BP, which will continue after the expansion. Aside from the installation of the carbon treatment system, all of the existing equipment will continue to be utilized in the operation of the BP (petroleum delivery systems, coolers, ovens, and related food preparation equipment).
26. Aside from the disposal of the carbon filters, the BP only has normal household cleaners used in the maintenance of the business in order to clean the food preparation and service areas, floors and bathrooms. The only waste that is disposed of at the BP is spoiled food and drink products, grey water waste and sanitary waste from the bathrooms.
27. In accordance with the DSIS Agreement, the security cameras shall be inaccessible to employees. Conspicuous signs shall be posted and maintained at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times and the Village of Pleasant Prairie Police Department shall be promptly provided any requested video. The recording shall be kept in an archive for a minimum of two weeks and the Pleasant Prairie Police Department shall have remote access to the system to monitor and download video. Specifically, internet access shall be provided which would allow the Police Department to have "live time" monitoring of the BP store and site.
28. The parking lot shall be illuminated to provide sufficient lighting for the public's safety and for the security cameras to operate effectively per the Village's satisfaction.
29. A clear and unobstructed view of the cash registers and transaction areas shall be maintained from the internal 30-foot wide on-site circulation access roadway.
30. The building shall be equipped with and shall use an inaccessible drop safe.
31. Between 10:00-12:00 p.m. and 5:00-7:00 a.m. at least two (2) employees shall be working on-site unless the business has taken measures to protect a lone clerk such as the installation of bullet resistant glass or other equipment as approved by the Police Department, making the lone employee inaccessible.
32. Installation and full operation of a hold-up alarm, which is monitored by a UL listed central station with functioning telephone service, shall be used at the BP station building.
33. The cash register shall not be left unattended for periods of time when the convenience store is open to the public.
34. A height strip shall be located at each doorway entering and exiting the convenience store.
35. The owner shall retain landscapers to regularly maintain, replace and upgrade the landscaping that surrounds the property, including the removal of all snow and ice from the parking lots, driveways and sidewalks. In addition, employees shall walk the property on a regular basis to pick up debris, empty garbage cans, restock self-service washer fluids and paper towels, and to monitor the entire property in order to maintain it in a first class condition.


36. The owner shall obtain all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies.
37. All signs shall comply with Article X of Chapter 420 of the Village Municipal Code and with the BP Amoco PUD Ordinance on file with the Village. All signs shall be in good working order, properly maintained or repaired as needed, painted and well-kept.
38. The following types of signs are prohibited and shall not be installed. For a complete listing of prohibited signs refer to the Article X of Chapter 420 of the Village Municipal Code.:
 - a. Any sign with flashing or pulsating lights.
 - b. Any inflatable sign, including but not limited to tethered balloon signs or other gas-filled figures.
 - c. Any temporary, spring-action metal advertising sign used, for example, to advertise cigarette or gasoline prices.
 - d. Any spotlights used as visual attention-getters.
 - e. Strings of lights, tinsel, pennants, pinwheels or other similar devices hanging between two points or attached to light poles, cars, landscaping or structures on the property.
39. The Village had received numerous complaints relating to the operations of the station site including litter and garbage on the site; broken light standards and signs; inoperable pumps; pumps that don't issue receipts; dead landscaping; violation of security protocol; interior building damage to walls, floors, painting, counters; garbage overflowing; illegal outside storage of product; allowing products to be stored outside; allowing a pothole to remain in the drive area causing damage of cars etc. These ongoing complaints must be addressed on a daily basis by the owners as a responsible business owner in the Village. The Zoning staff will conduct inspections on a semi-annual basis to ensure compliance with these issues.
40. The use, operations, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved Site and Operational Plans, the Conditional Use Permit, Liquor and Tobacco Licenses and all other applicable provisions of the Village Municipal Code and all other applicable Village, County, State or federal regulations.
41. The use, operations, site, building and structures shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the Performance Standards set out in Section 420-38 of the Village Zoning Ordinance.
42. The site, building and garbage dumpster structure shall be maintained in a clean, neat, presentable, aesthetically pleasing, odor-free, structurally sound and nonhazardous condition inside and outside of the store at all times. All litter and debris outside of the structures shall be promptly removed on a daily basis. The garbage dumpster enclosure doors shall not be left open on garbage day and shall be promptly closed and secured after the pick-up of garbage.
43. The handicapped accessible parking spaces shall be appropriately signed, painted on the pavement and maintained pursuant to ADA requirements.
44. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.

45. All required landscaping shall be installed per the plans and written verification and/or certification shall be provided to the Village by the landscape installer/designer that the landscaping has been installed in accordance with the Village approved landscape plan.
46. On site building alterations/modifications or changes in the operations or use of the site shall be in strict conformity to the Village approved plans and the Settlement Agreement approved in connection with the petition for this Conditional Use Permit. Violations of these conditions may result in the suspension or revocation of the conditional use permit and zoning violation prosecution, or both.
47. All uses shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water discharges and storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive as determined by the Village shall apply.
48. All required permits shall be obtained from the Village prior to commencing work.
49. Operation of the uses granted herein shall be in strict conformity to the approved and documents filed and approved in connection with the petition for Site and Operational Plan approval. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
50. No changes to the exterior site, building or structures shall be made without the Village's approval. No painting of the exterior masonry of the BP station building or garbage dumpster enclosure shall be permitted, unless expressly permitted by the Village. Colors for building trim work shall be approved by the Village.
51. Any addition, alteration, extension, expansion or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
52. The Conditional Use Permit shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
53. The Conditional Use Permit is subject to amendment and termination in accordance with the provisions of the Village General Zoning and Floodplain/Shoreland Zoning Ordinance.
54. **This Conditional Use Permit is valid until June 10, 2014. In order for this facility to continue to operate after June 10, 2014, an application for an extension to this conditional use permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 10, 2014.**

Granted by the action of the Village of Pleasant Prairie Plan Commission the 28th day of May 2013.


Thomas W. Terwall
Plan Commission Chairman

ATTEST:


Donald Hackbarth
Secretary

[Owners signature on following page]

OWNER: VIDHYA Corp, VIII, Inc.

Dixit Patel

Dixit Patel
President

ACKNOWLEDGMENT
STATE OF Wisconsin
KENOSHA SS
COUNTY)

This instrument was acknowledged before me in City of Kenosha (city)
State of Wisconsin (state), on this 22 day of July, 2013 by
Dixit Patel, President on behalf of VIDHYA Corp, VIII, Inc.

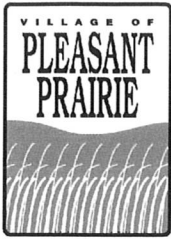
JM

Print Name: J MICHAEL McTERWAN
Notary Public, KENOSHA County
My Commission Expires: Is Perpetual

THIS INSTRUMENT WAS DRAFTED BY:

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





**VILLAGE OF PLEASANT PRAIRIE
CONDITIONAL USE GRANT NO. 13-03 Amended**

Before the Village of Pleasant Prairie Plan Commission,
Kenosha County, Wisconsin, in regard to the property
located at 10477 120th Avenue.

②



DOCUMENT

1728246

RECORDED
At Kenosha County, Kenosha WI 53140
JoElliyn M. Storz, Register of Deeds
June 12, 2014 2:45 PM
\$30.00
Pages 8

Return to:

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

Tax Parcel Number:

92-4-122-302-0130

Legal Description: Lot 14 of CSM 1489 (Document #872365) located in the Northwest One Quarter of U.S. Land Survey Section 30, Township 1 North, Range 22 East in the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, Kenosha County Wisconsin.

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

WHEREAS, such petition having been made to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site and public hearing held thereon, the Village Plan Commission has determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, that the grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing and the comments presented in this document that the project meets the following standards for granting a Conditional Use Permit in that the project/use:

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department.
- The project does not appear to create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.

- There are no existing identified hazards, dangers, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use. However, previous soil contaminations are being addressed as part of and as a condition of this Conditional Use Permit
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining zoning districts and land uses.

NOW THEREFORE, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site.

1. Compliance with PUD Ordinance #12-40, including the Digital Security Imaging System Agreement on file with the Village.
2. **Compliance with the terms and conditions of the executed Settlement Agreement approved by the Village Board on November 19, 2012, 1st Amendment to the Settlement Agreement approved on April 1, 2013 and 2nd Amendment to the Settlement Agreement approved on February 3, 2014 on file with the Village.**
3. Compliance with the Site and Operational Plans as conditionally approved by the Village Plan Commission on November 19, 2012 on file with the Village.
4. Compliance with the Preliminary Site Investigation Work Plan dated November 14, 2012. The Remedial Action Plan and Remedial Design Report shall be compliant with NR 700 shall be submitted to the Village.
5. Compliance with the WI DNR WPDES Permit issued on November 2, 2012.
6. Compliance with the Wisconsin Department of Transportation Work in the Right-of-Way Permit dated November 26, 2012.
7. Provide to the Village a copy of an ongoing agreement shall be executed by the Owner and an appropriate environmental firm to accomplish the following:
 - to monitor the operation and maintenance of the groundwater treatment system on a regular basis;
 - to continue influent and effluent sampling and analysis on the schedule prescribed in the stipulated agreement; and
 - to respond as needed to onsite emergencies related to the treatment system and alarms.
8. All hard surfaced areas including the parking lot areas, drive lanes, paved areas adjacent to the pumps, sidewalks, etc. shall be clean, neat and free from pot holes or other cracks which present a safety risk to the pedestrians or traveling public. The hard surface areas of the site shall be maintained and free of any debris or potholes which may cause distractions or damages to vehicles. All pavement markings shall be done in yellow or white reflective paint.
9. The gas station and convenience store shall operate in an organized, well-kept, clean, neat and professional manner. The inside of the store shall be maintained, painted, and clean for the public. Damaged or dirty walls, floors, coolers, bathrooms, racking, displays lighting, etc. shall be taken care of or repaired promptly. Malfunctioning gas pumps shall be repaired as soon as possible.

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43. The handicapped accessible parking spaces shall be appropriately signed, painted on the pavement and maintained pursuant to ADA requirements.
44. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.

45. All required landscaping shall be installed per the plans and written verification and/or certification shall be provided to the Village by the landscape installer/designer that the landscaping has been installed in accordance with the Village approved landscape plan.
46. On site building alterations/modifications or changes in the operations or use of the site shall be in strict conformity to the Village approved plans and the Settlement Agreement approved in connection with the petition for this Conditional Use Permit. Violations of these conditions may result in the suspension or revocation of the conditional use permit and zoning violation prosecution, or both.
47. All uses shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water discharges and storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive as determined by the Village shall apply.
48. All required permits shall be obtained from the Village prior to commencing work.
49. Operation of the uses granted herein shall be in strict conformity to the approved and documents filed and approved in connection with the petition for Site and Operational Plan approval. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
50. No changes to the exterior site, building or structures shall be made without the Village's approval. No painting of the exterior masonry of the BP station building or garbage dumpster enclosure shall be permitted, unless expressly permitted by the Village. Colors for building trim work shall be approved by the Village.
51. Any addition, alteration, extension, expansion or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
52. The Conditional Use Permit shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
53. The Conditional Use Permit is subject to amendment and termination in accordance with the provisions of the Village General Zoning and Floodplain/Shoreland Zoning Ordinance.
54. **This Conditional Use Permit is valid until June 10, 2014. In order for this facility to continue to operate after June 10, 2014, an application for an extension to this conditional use permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 10, 2014.**

Granted by the action of the Village of Pleasant Prairie Plan Commission the 28th day of May 2013 and amended by action of the Plan Commission on the 13th day of January, 2014.



 Thomas W. Terwall
 Plan Commission Chairman

ATTEST:



 Donald Hackbarth
 Secretary

[Owners signature on following page]

OWNER: VIDHYA Corp, VIII, Inc.

Dixit Patel
Dixit Patel
President

ACKNOWLEDGMENT
STATE OF WISCONSIN
KENOSHA SS
COUNTY)

This instrument was acknowledged before me in KENOSHA (city)
WISCONSIN (state), on this 15th day of MAY, 2018 by
Dixit Patel, President on behalf of VIDHYA Corp, VIII, Inc. 4

John Michael McTernan
Print Name: JOHN MICHAEL MCTERNAN
Notary Public, KENOSHA County, WI
My Commission Expires: Is Permanent

THIS INSTRUMENT WAS DRAFTED BY:

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





**VILLAGE OF PLEASANT PRAIRIE
CONDITIONAL USE GRANT NO. 13-03 2nd Amendment**

Before the Village of Pleasant Prairie Plan Commission,
Kenosha County, Wisconsin, in regard to the property
located at 10477 120th Avenue.



DOCUMENT
1740291

RECORDED
At Kenosha County, Kenosha WI 53140
JoEllyn N. Storz, Register of Deeds
December 30, 2014 2:39 PM
\$30.00
Pages 8

Return to:
Village of Pleasant Prairie
9915 39th Avenue
Pleasant Prairie, WI 53158

Tax Parcel Number:
92-4-122-302-0130

Legal Description: Lot 14 of CSM 1489 (Document #872365) located in the Northwest One Quarter of U.S. Land Survey Section 30, Township 1 North, Range 22 East in the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, Kenosha County Wisconsin. 8.

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

WHEREAS, such petition having been made to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site and public hearing held thereon, the Village Plan Commission has determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, that the grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Specifically, based upon the information presented at the public hearing and the comments presented in this document that the project meets the following standards for granting a Conditional Use Permit in that the project/use:

- The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services.
- The project does not impair an adequate supply of light and air to the adjacent properties.
- The project does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department.
- The project does not appear to create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare.

- There are no existing identified hazards, dangers, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use. However, previous soil contaminations are being addressed as part of and as a condition of this Conditional Use Permit
- The proposed and applied for use on this particular parcel is not inherently inconsistent with the B-4, Freeway Service Business District in which it is located or the adjoining zoning districts and land uses.

NOW THEREFORE, a Conditional Use Permit is granted, subject to compliance with the terms and conditions hereinafter stated to allow BP Amoco to operate a gasoline station and convenience store and to install a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site.

1. Compliance with PUD Ordinance #12-40, including the Digital Security Imaging System Agreement on file with the Village.
2. **Compliance with the terms and conditions of the executed Settlement Agreement approved by the Village Board on November 19, 2012, 1st Amendment to the Settlement Agreement approved on April 1, 2013 and 2nd Amendment to the Settlement Agreement approved on February 3, 2014 on file with the Village.**
3. Compliance with the Site and Operational Plans as conditionally approved by the Village Plan Commission on November 19, 2012 on file with the Village.
4. Compliance with the Preliminary Site Investigation Work Plan dated November 14, 2012. The Remedial Action Plan and Remedial Design Report shall be compliant with NR 700 shall be submitted to the Village.
5. Compliance with the WI DNR WPDES Permit issued on November 2, 2012.
6. Compliance with the Wisconsin Department of Transportation Work in the Right-of-Way Permit dated November 26, 2012.
7. Provide to the Village a copy of an ongoing agreement shall be executed by the Owner and an appropriate environmental firm to accomplish the following:
 - to monitor the operation and maintenance of the groundwater treatment system on a regular basis;
 - to continue influent and effluent sampling and analysis on the schedule prescribed in the stipulated agreement; and
 - to respond as needed to onsite emergencies related to the treatment system and alarms.
8. All hard surfaced areas including the parking lot areas, drive lanes, paved areas adjacent to the pumps, sidewalks, etc. shall be clean, neat and free from pot holes or other cracks which present a safety risk to the pedestrians or traveling public. The hard surface areas of the site shall be maintained and free of any debris or potholes which may cause distractions or damages to vehicles. All pavement markings shall be done in yellow or white reflective paint.
9. The gas station and convenience store shall operate in an organized, well-kept, clean, neat and professional manner. The inside of the store shall be maintained, painted, and clean for the public. Damaged or dirty walls, floors, coolers, bathrooms, racking, displays lighting, etc. shall be taken care of or repaired promptly. Malfunctioning gas pumps shall be repaired as soon as possible.

9. A Kenosha County Health Department permit and regular inspections will be conducted on the premises. Violations may result in the suspension or revocation of the Health Permit and the Conditional Use Permit.
10. The hours of operation (when the public is allowed to enter or remain on site for business purposes) shall be limited from 5:00 a.m. to 12:00 a.m. daily. A Temporary Use Permit may be issued for 24-hour operations during any holiday period subject to approval of the Village Police Chief. In addition, a 24-hour holiday operation will require the owners to enter into an agreement and pay for the overtime services of the Police Department, as determined by the Police Chief. Pursuant to the Zoning Ordinance and liquor license requirements, the store is allowed to be open until midnight; however, Class A Beer is only allowed to be sold from 8:00 a.m. to midnight and Class A Intoxicated Liquor is only allowed to be sold from 8:00 am to 9:00 p.m.
11. Currently, deliveries and shipments are allowed only during the time that BP is open to the public.
12. The delivery hours or any other activities outside the principal building that might cause a disturbance to neighboring areas (e.g., outside loading or unloading, the arrival of deliveries, idling of delivery trucks, beeping of backing vehicles, and garbage pickup), except for snow removal, is allowed only from 6:00 a.m. to 10:00 p.m.
13. BP Amoco Gas Station and Convenience Store located at 10477 120th Avenue is a self-service gasoline and diesel station, selling petroleum products to consumers of passenger vehicles and light trucks. It does not service or sell petroleum products to over-the-road trucks, cabs or other specialized commercial or construction vehicles. In addition, BP operates a convenience store that provides various grocery store and automobile supplies and accessories, along with a quick service restaurant, bakery, self-service coffee bar and soda fountain, and an e-commerce area for computerized assistance with weather and traffic information. The quick service restaurant provides seating for approximately 12 people and quick food selections of bakery items, sandwiches, soups and salads. The facility also provides separate men's and women's washrooms, and various other related convenience service amenities, including but not limited to, vacuum cleaners and compressed air for automobile maintenance, automated teller machine, along with the sale of alcohol and tobacco products as authorized by its license.
14. Due to several reported hazardous substance releases at the BP gas station dating back to 1993, the owner's consultants have developed and installed a carbon treatment system that treats contaminated ground water. This system needs to be installed in an enclosed and heated facility. As a result, the southeast corner of the building was expanded in order to house the filters and pumps that are necessary to operate the carbon treatment system. This system is detailed in a Settlement Agreement being entered into between the property owner and the Village, and the property owner obtained all applicable permits before installing said system.
15. The expansion of the building measures approximately 420 square feet (30 feet by 15 feet) and simply "square" the building foot print. The same exterior building materials (brick and trim) were used in order to match the expansion to the existing building.
16. No through penetration between the new carbon room addition and the existing building shall be allowed to ensure no transfer of potentially toxic chemicals such as but not limited to carbon monoxide.
17. The 420 square foot addition shall not be used for the storage of any materials including but not limited, cleaning supplies, extra toilet paper or other supplies, merchandize or other products.

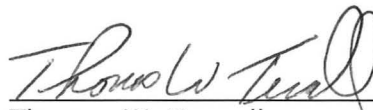
18. The 420 square foot addition is subject to compliance with the following conditions from the Village Building Inspection Department:
 - a. All building, plumbing, lighting and HVAC plans shall be designed to the IBC Codes, prior to submitting (4 sets) for building permits from the Village of Pleasant Prairie. Since the total cubic footage of the accessory structure is less than 100,000 cubic ft. this can be a Municipal review. All sub-contractors will be required to apply for permits.
 - b. Halls, corridors, stairways, passageways, work aisles and other means of egress from factories, offices and mercantile buildings shall have emergency lighting and exit lighting per Article 700 of the NEC, SPS 316.46 Which requires interior and exterior lighting. The existing plans only show interior lighting. The Village Fire & Rescue Department shall be contacted for further information and requirements. Contact Fire & Rescue Chief Doug McElmury at 262-694-8027.
 - c. The architect(s)/ professional engineer(s) shall submit, to the Village and State, the compliance statement, Form SBD 9720, prior to the final inspection with the Village Building Inspection and Fire & Rescue Departments.
 - d. The electrical contractor shall to be licensed by the Village of Pleasant Prairie. The electrical contractor shall obtain a permit from the Village prior to beginning work. All contractors must be licensed or registered with the State of Wisconsin.
 - e. All fire alarm installations require plan review and permit from the Village of Pleasant Prairie Fire & Rescue Department.
19. Downspouts shall be tied into the on-site storm sewer system and shall not be discharged onto existing pavement.
20. Landscaping on the site shall be installed, watered, weeded, trimmed and maintained in good condition at all times. Litter and debris shall be removed from the landscaping on a daily basis. Damaged, dying or dead plant material shall be removed and new plantings shall be installed on a regular basis. Mulch shall be raked in place on a regular basis and replaced yearly.
21. The carbon treatment system will not create any disturbance to the surrounding property owners as it will be housed in an enclosed and insulated expansion of the building. It is anticipated that the system will operate off and on for several years, dependent on the rise of ground water due to changes in the weather.
22. This system will not require any additional staff to manage and operate, as it will be automated and will only occasionally require the replacement of carbon filters that will be disposed of using sealed drums provided and retrieved by qualified environmental disposal companies. Moreover, the system will not alter existing operations of the gasoline station and convenience store, as those operations will continue as normal.
23. Currently, there are seven (7) full time and three (3) part time employees, but additional seasonal help is retained during peak holiday seasons. Currently, there are only two shifts of employees, but a third shift has been added when the hours are expanded during the Midnight Madness hours for Thanksgiving evening/Black Friday. There are currently 23 parking spaces on the site, but with the expansion of the building, two (2) parking spaces are being removed, leaving a total of 21 parking spaces (one handicapped access parking space, and 20 conventional parking spaces). The number of parking spaces excludes the cars that can be parked at the pumps.

24. Pursuant to the Village Zoning Ordinance the minimum parking requirements for a gasoline station with a convenience store is five (5) spaces per each 2,000 square feet of gross floor area plus 1 space for each employee on the largest shift plus the required handicapped accessible parking spaces pursuant to the state code. Therefore, a minimum of 13 spaces plus their required handicapped accessible parking spaces is required (5 spaces plus 3 spaces plus 5 spaces (assuming no more than five workers on site)).
25. It is anticipated that traffic volumes of 500 to 1,000 daily trips will continue, and there will be no truck trips other than deliveries of goods to the BP. The main products being sold at the BP include, but are not limited to: gasoline and diesel fuels, related automobile supplies and parts, along with food and beverages, all of which are currently being sold at the BP, which will continue after the expansion. Aside from the installation of the carbon treatment system, all of the existing equipment will continue to be utilized in the operation of the BP (petroleum delivery systems, coolers, ovens, and related food preparation equipment).
26. Aside from the disposal of the carbon filters, the BP only has normal household cleaners used in the maintenance of the business in order to clean the food preparation and service areas, floors and bathrooms. The only waste that is disposed of at the BP is spoiled food and drink products, grey water waste and sanitary waste from the bathrooms.
27. In accordance with the DSIS Agreement, the security cameras shall be inaccessible to employees. Conspicuous signs shall be posted and maintained at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times and the Village of Pleasant Prairie Police Department shall be promptly provided any requested video. The recording shall be kept in an archive for a minimum of two weeks and the Pleasant Prairie Police Department shall have remote access to the system to monitor and download video. Specifically, internet access shall be provided which would allow the Police Department to have "live time" monitoring of the BP store and site.
28. The parking lot shall be illuminated to provide sufficient lighting for the public's safety and for the security cameras to operate effectively per the Village's satisfaction.
29. A clear and unobstructed view of the cash registers and transaction areas shall be maintained from the internal 30-foot wide on-site circulation access roadway.
30. The building shall be equipped with and shall use an inaccessible drop safe.
31. Between 10:00-12:00 p.m. and 5:00-7:00 a.m. at least two (2) employees shall be working on-site unless the business has taken measures to protect a lone clerk such as the installation of bullet resistant glass or other equipment as approved by the Police Department, making the lone employee inaccessible.
32. Installation and full operation of a hold-up alarm, which is monitored by a UL listed central station with functioning telephone service, shall be used at the BP station building.
33. The cash register shall not be left unattended for periods of time when the convenience store is open to the public.
34. A height strip shall be located at each doorway entering and exiting the convenience store.
35. The owner shall retain landscapers to regularly maintain, replace and upgrade the landscaping that surrounds the property, including the removal of all snow and ice from the parking lots, driveways and sidewalks. In addition, employees shall walk the property on a regular basis to pick up debris, empty garbage cans, restock self-service washer fluids and paper towels, and to monitor the entire property in order to maintain it in a first class condition.

36. The owner shall obtain all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies.
37. All signs shall comply with Article X of Chapter 420 of the Village Municipal Code and with the BP Amoco PUD Ordinance on file with the Village. All signs shall be in good working order, properly maintained or repaired as needed, painted and well-kept.
38. The following types of signs are prohibited and shall not be installed. For a complete listing of prohibited signs refer to the Article X of Chapter 420 of the Village Municipal Code.:
 - a. Any sign with flashing or pulsating lights.
 - b. Any inflatable sign, including but not limited to tethered balloon signs or other gas-filled figures.
 - c. Any temporary, spring-action metal advertising sign used, for example, to advertise cigarette or gasoline prices.
 - d. Any spotlights used as visual attention-getters.
 - e. Strings of lights, tinsel, pennants, pinwheels or other similar devices hanging between two points or attached to light poles, cars, landscaping or structures on the property.
39. The Village had received numerous complaints relating to the operations of the station site including litter and garbage on the site; broken light standards and signs; inoperable pumps; pumps that don't issue receipts; dead landscaping; violation of security protocol; interior building damage to walls, floors, painting, counters; garbage overflowing; illegal outside storage of product; allowing products to be stored outside; allowing a pothole to remain in the drive area causing damage of cars etc. These ongoing complaints must be addressed on a daily basis by the owners as a responsible business owner in the Village. The Zoning staff will conduct inspections on a semi-annual basis to ensure compliance with these issues.
40. The use, operations, site, building and structures shall be designed, laid out, constructed and maintained in full compliance with the approved Site and Operational Plans, the Conditional Use Permit, Liquor and Tobacco Licenses and all other applicable provisions of the Village Municipal Code and all other applicable Village, County, State or federal regulations.
41. The use, operations, site, building and structures shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the Performance Standards set out in Section 420-38 of the Village Zoning Ordinance.
42. The site, building and garbage dumpster structure shall be maintained in a clean, neat, presentable, aesthetically pleasing, odor-free, structurally sound and nonhazardous condition inside and outside of the store at all times. All litter and debris outside of the structures shall be promptly removed on a daily basis. The garbage dumpster enclosure doors shall not be left open on garbage day and shall be promptly closed and secured after the pick-up of garbage.
43. The handicapped accessible parking spaces shall be appropriately signed, painted on the pavement and maintained pursuant to ADA requirements.
44. All exterior mechanical units, antennae and/or satellite dishes, whether roof-mounted or ground-mounted, shall be screened from the general public's view.

45. All required landscaping shall be installed per the plans and written verification and/or certification shall be provided to the Village by the landscape installer/designer that the landscaping has been installed in accordance with the Village approved landscape plan.
46. On site building alterations/modifications or changes in the operations or use of the site shall be in strict conformity to the Village approved plans and the Settlement Agreement approved in connection with the petition for this Conditional Use Permit. Violations of these conditions may result in the suspension or revocation of the conditional use permit and zoning violation prosecution, or both.
47. All uses shall conform to applicable Village Ordinance requirements, and to all other applicable local, County, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water discharges and storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive as determined by the Village shall apply.
48. All required permits shall be obtained from the Village prior to commencing work.
49. Operation of the uses granted herein shall be in strict conformity to the approved and documents filed and approved in connection with the petition for Site and Operational Plan approval. Any violation of these conditions may result in the revocation of the approval or zoning violation prosecution, or both.
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51. Any addition, alteration, extension, expansion or other proposed change in the approved operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.
52. The Conditional Use Permit shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
53. The Conditional Use Permit is subject to amendment and termination in accordance with the provisions of the Village General Zoning and Floodplain/Shoreland Zoning Ordinance.
54. **This Conditional Use Permit is valid until June 10, 2015. In order for this facility to continue to operate after June 10, 2015, an application for an extension to this conditional use permit shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 10, 2015.**

Granted by the action of the Village of Pleasant Prairie Plan Commission the 28th day of May 2013 and amended by action of the Plan Commission on the 13th day of January, 2014 and the 9th day of June, 2014.


 Thomas W. Terwall
 Plan Commission Chairman

ATTEST:


 Donald Hackbarth
 Secretary

[Owners signature on following page]

OWNER: VIDHYA Corp, VIII, Inc.

Dixit P. Patel
Dixit Patel
President

ACKNOWLEDGMENT

STATE OF WI)
KENOSHA SS
COUNTY)

This instrument was acknowledged before me in October 21 Kenosha (city)
WISCONSIN (state), on this 21 day of October, 2014 by
Dixit Patel, President on behalf of VIDHYA Corp, VIII, Inc.

JM
Print Name: John Michael McTernan
Notary Public, Kenosha County, WI
My Commission Expires: Is Perpetual

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 CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS** for the request of Randy Copenharve, agent for Route 165, LLC owner of the property located at 13305 104th Street for the installation of a 50 foot by 72 foot open air hydrogen fuel cells storage facility enclosed by 16 foot high precast wall panels and an ornamental fence generally located southeast of the warehouse building (W2) currently under construction. The fuel cells will be used to power Uline's fleet of electric forklifts as an alternative to battery powered forklifts.

Recommendation:

Village staff recommends that the Plan Commission approve the Conditional Use Permit, including Site and Operational Plans, subject to the comments and conditions of the Village staff report of May 26, 2015.

VILLAGE STAFF REPORT OF MAY 26, 2015

CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS for the request of Randy Copenharve, agent for Route 165, LLC owner of the property located at 13305 104th Street for the installation of a 50 foot by 72 foot open air hydrogen fuel cells storage facility enclosed with 16 foot high precast wall panels and an ornamental fence to be generally located southeast of the warehouse building (W2) currently under construction. The fuel cells will be used to power Uline's fleet of electric forklifts as an alternative to battery powered forklifts.

ZONING ADMINISTRATOR INTERPRETATION:

The Village Zoning Administrator can make an interpretation from the Zoning Ordinance that the proposed fuel cell storage use should be considered a Miscellaneous Conditional Use based upon the factual findings as provided in this memorandum which support the decision. The Village Zoning Ordinance Section 420-12 A. (2) states that: The uses allowed in the M-1 District are based upon the Use and Occupancy Classification specified in Chapter 3 of the 2006 International Building Code (2006 IBC), as may be amended from time to time. Where a use is proposed for a purpose that is not specifically provided in Chapter 3 of the 2006 IBC and is not specifically listed as a prohibited use in the M-1 District, such use shall be classified in the group that the occupancy most clearly resembles according to the fire safety and relative hazard involved. As the Zoning Administrator, I have made the final determination that the proposed hydrogen fuel cells storage use in an outdoor facility is allowed within the M-1 District with a Miscellaneous Conditional Use Permit.

PUBLIC HEARING COMMENTS:

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

Findings of Fact

1. The petitioner is requesting a Conditional Use Permit, including Site and Operational Plans, for the installation of a 50 foot by 72 foot open air hydrogen fuel cells storage facility enclosed with by 16 foot high precast wall panels and an ornamental fence to be generally located southeast of the Warehouse building (W2) currently under construction at 13305 104th Street in the Village. The fuel cells will be used to power Uline's fleet of electric forklifts as an alternative to battery powered forklifts. The application is provided as **Exhibit 1**.
2. The property is located in a part of the Northwest One Quarter of U.S. Public Land Survey Section 25, Township 1 North, Range 21 East of the Fourth Principal Meridian, in the Village of Pleasant Prairie, Wisconsin and further identified as Tax Parcel Number 91-4-121-252-0283.
3. The current zoning of the property where the fuel cell storage facility is located is M-1 (PUD), Limited Manufacturing District with a Planned Unit Development Overlay District. The proposed use has been determined by the Zoning Administrator to be allowed with approval of a Conditional Use Permit.
4. Pursuant to the submitted **Operational Plan (Exhibit 1)**:
 - a. ULINE proposes to use hydrogen fuel cells to power their fleet of electric forklifts as an alternative to battery powered forklifts in the existing W1 Distribution Center and the W2 Distribution Center under construction. Plug Power, a leader in fuel cell solutions, will provide all the fuel cells, hydrogen refueling equipment, and maintenance for the duration of the project.

- b. Uline would like to power their fleet of electric fork trucks in their existing and proposed distribution centers with hydrogen fuel cell technology for three primary reasons. These include improved reliability, for safety reasons and to promote business growth that will result from the efficiencies that the fuel cell technology will provide.
- c. The proposed installation includes eight (8) refueling stations installed inside the warehouses however there will be no storage activities performed inside. All hydrogen will be kept outdoors in an area selected to comply with current regulations. The outdoor bulk storage will include an 18,000 gallon horizontal liquid hydrogen tank, three (3) compression devices, and 120kg of gaseous hydrogen storage.
- d. The bulk storage area will consist of a 72 foot x 50 foot concrete pad. A perimeter enclosure consisting of 16 foot tall precast wall panels and an ornamental fence will be provided to secure the yard. Unauthorized personnel will not be allowed in the yard.
- e. The outdoor bulk storage area, which does not have any canopies or roof structures is not a building structure, therefore, the requirements of the International Building Code are not applicable. Because no hydrogen will be stored inside the W1 and W2 warehouse distribution centers, the fuel cell use is not classified as Hazardous Use Occupancies per the IBC.
- f. The system will emit no harmful emissions, only heat and water. The system will provide hydrogen to ULINE, the sole user. This installation will not be a point of resale for hydrogen.
- g. Fuel cells do not emit emissions and no hydrogen is released inside the building, and thus does not require ventilation in the project proposed.
- h. The existing lead acid batteries require the use of spill kits to neutralize any acid that could come in contact with concrete floors, or steel racking, etc. when being handled, where hydrogen fuel cells do not.
- i. There have been multiple emergency incidents, due to the handling of lead acid batteries that have occurred in facilities located throughout Pleasant Prairie. The material handling processes proposed for the hydrogen fuel is safer than those in place for the handling of lead acid batteries.
- j. When a fuel cell connects to the fueling station, a series of checks are performed to ensure safe dispensing. Those checks include a leak check of the nozzle and piping, validation that the fuel cell is properly connected, ensuring that the operator is standing on the presence detection mat, and that all the safeties (such as gas detectors and flame detectors) are in safe conditions. If any of the aforementioned conditions are not met, the fueling will not start (or the fueling will stop). All the valves used in the dispensing of hydrogen are normally closed and will only open if there is a fuel cell connected to the other end of the fueling station. All the safety devices (gas detector/flame detector) are on constantly and will shut down the dispenser when triggered, even in between refueling events.
- k. The hydrogen will be stored and compressed outdoors. All equipment used in the processing of the hydrogen will be electrically classified Class 1, Division 2, and Group B as per NFPA 2. The pad location is proposed in an area that respects the various setbacks required per NFPA 2 as well. The applicable setbacks are as follows:

- i. Setbacks from overhead power lines – 25 feet required, 50-feet provided.
 - ii. Setbacks from sprinklered buildings - 50 feet required, 201-feet provided from W2 and 499 feet provided from W1.
 - iii. Setbacks from property lines - 50 feet required, 141 feet provided to nearest property line located to the south.
- l. The hydrogen will be pressurized on the outdoor pad proposed. Hydrogen will be delivered as a liquid and stored in a horizontal, double-walled tank. The hydrogen will be compressed when needed through the use of a liquid pump. Plug Power will be deploying two (2) liquid pumps to offer 100% redundancy. A smaller gas compressor will also be deployed to help Plug Power manage the liquid hydrogen tank boil off (similar to what is currently in operation at ULINE on a temporary basis since October 2014).
 - m. In accordance with the Fire Chief McElmury's request, two (2) additional fire hydrants have been added on the north and west side of the fuel cell storage area to provide additional coverage. These hydrants are connected to the fire loop that is provided around the entire perimeter of the W2 Distribution warehouse. (See **Exhibit 2** for a copy of a letter from the Village Fire & Rescue Chief regarding this project, dated May 6, 2015). As provided by the Fire & Rescue Chief in his memorandum he had the following comments,

"I have been asked to comment on the proposed Forklift Fuel Cell project at Uline. We have worked with Uline for over 1 ½ years on the trial phase of this project. The idea of eliminating forklift batteries that are filled with sulfuric acid and that are susceptible to damage, leaks, off-gassing and fires was intriguing to the Fire & Rescue department when we were initially educated about the project.

Over the years at different facilities, we have responded to emergency calls involving sulfuric acid leaks, fires in the battery charging areas and injuries from handling the batteries. The technology that Uline is proposing to use substantially reduces the hazards to employees and emergency responders. The fuel cell is mounted in the forklift and is not routinely removed, which eliminates the hazard of the removal and installation of the heavy battery which exposes the battery to potential damage, leaks and fires. More importantly, the employee is not exposed to the possibility of injury from the battery change process. When batteries are charged they produce hydrogen sulfide which requires ventilation and is a secondary hazard.

The proposed fuel cell in the forklift is powered by hydrogen that is refilled at small refueling stations inside the building that are closely monitored with sensors. These sensors shut down the flow of hydrogen from the storage tank located outdoors if a leak or flame is detected. The hydrogen is stored outside of the buildings in a remote, protected and secure facility. The system is NFPA 2 compliant and has an excellent safety record at the 60 locations in North America and Europe where they are operating. The Fire & Rescue Department supports the project proposed by Uline to install a remote NFPA 2 Compliant Hydrogen Fuel Cell Storage Facility".

- n. Uline is requesting permits to add hydrogen fuel cells to power lift trucks for three main reasons:
 - i. Reliability - During a power outage their batteries cannot be recharged but hydrogen can be operational with only a small fraction of the power from a backup generator.
 - ii. Safety- Lead acid batteries currently power their lifts. These have many hidden hazards including exposure to acid, exposure to lead, uncontrolled release of hydrogen during charging (vs. hydrogen fuel cells which contain all the hydrogen) and stored electricity potentially shorting out. These hazards are eliminated with hydrogen fuel cells.
 - iii. Grow their business - Lift trucks operating on fuel cells require substantially less time to refill as compared to changing batteries. This provides additional time to perform value added tasks that better serve their customers.
- o. Plug Power has been working with hydrogen fuel cells since 1997. The forklift operators have been adapting the technology at a fast pace for the past five (5) years. Plug Power now has over 6,000 fuel cells at over 60 customer locations across North America and Europe, accumulating over 20 million hours of run time. Plug Power has successfully deployed multiple sites such as: Coca-Cola, P&G, Wal-Mart, BMW, Mercedes, Volkswagen, Honda, FEDEX, Lowes, ACE Hardware, Sysco, Wholefoods, Kroger, Winco, Wegmans, and Nestle. All of these customers are safety conscious and strive for a safe working environment for their associates and see fuel cells as a safer alternative. Plug Power's products are refilled approximately 10,000 times daily (all performed by operators) with no recordable incidents.

- 5. The petitioner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on May 7, 2015 of this hearing. Public hearing notices were also published in the Kenosha News on May 12 and 19, 2015. The petitioner and the property owner were emailed a copy of this memorandum on May 21, 2015.
- 6. According to the Article XVIII of the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials that the project as planned, will not violate the intent and purpose of all Village Ordinance and meets the minimum standards for granting of a Conditional Use Permit. Furthermore, the Plan Commission shall not approve any site and operational plan application without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village ordinance requirements and all other applicable Federal, State or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, noise, storm water management, streets and highways and fire protection.

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

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

- a. The project does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;

- b. The project does not impair an adequate supply of light and air to the adjacent properties;
- c. The project does not increase danger of fire--in so far as the danger of fire does not exceed the capabilities of the Village Fire & Rescue Department;
- d. The project does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- e. There is no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed project; and
- f. The proposed and applied for use on this particular parcel is not inherently inconsistent with the M-1, Limited Manufacturing District in which it is located or the adjoining Zoning Districts and/or neighborhood.

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

1. Compliance with the all requirements as stated in the *attached* May 20, 2015 memorandum from the Village Fire & Rescue Department. Note that Condition #2 also requires that a letter be submitted to the Fire & Rescue Department prior to receiving a building permit, stating that the project will comply with all requirements addressed within the May 20, 2015 Fire & Rescue memorandum. A copy of this letter shall also be provided to the Community Development Department.
2. Compliance with the attached conditions of the memorandum is forthcoming from the Village Building Inspection Department.
3. Compliance with the following conditions from the Village Engineering Department:
 - a. The casting on the catch basin in front of the fuel cell station shall be replaced with a casting compatible with the depressed curb and gutter.
 - b. Elevations shall be added to the proposed fuel cell pad.
4. Subject to the terms and conditions as noted in the May 5, 2015 email from Peter Kucha, ATC regarding the Uline Hydrogen Fuel Cell Facility. Also, subject to the terms and conditions in the pending ATC permission letter as requested in item #9 in the Uline Hydrogen Fuel Cell Facility Operational Plan. A copy of the ATC permission letter shall be forwarded to the Village.
5. 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 420-38 of the Village Zoning Ordinance.
6. All buildings, structures, site improvements and sites shall be maintained in a safe, structurally sound, neat, well-cared-for and attractive condition.
7. The site, building and structure shall be maintained in a neat, presentable, aesthetically pleasing, structurally sound and nonhazardous condition. All litter and debris shall be promptly removed.

8. The use, site, and facility shall be operated in full compliance with the approved site and operational plan, any required conditional use permit, any required license and all other applicable provisions of Chapter 420 and of all other Village ordinances and codes.
9. No other changes to the exterior site shall be made without the Village's 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.
10. Upon approval of the Conditional Use Permit and prior to issuance of permits the Conditional Use Grant document will be prepared by the Village for signature of the property owner and the petitioner/tenant shall sign the Conditional Use Grant Document and said document shall be recorded at the Kenosha County Register of Deeds office. All recording and filing fees shall be paid by the application/owner.
11. The petitioner shall provide the Village with the name(s) and title(s) of the persons authorized to execute the Conditional Use Permit on behalf of the property owner.
12. The Conditional Use Grant shall become effective upon the execution and recording of said document and shall constitute an effective covenant running with the land.
13. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance.
14. Prior to construction and installation proper permits shall be obtained from the Village.
15. Operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit and with the conditions of approval. Violations of these conditions may result in the revocation of the conditional use permit or zoning violation prosecution, or both.
16. 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.



Office of the
Chief of Fire & Rescue
Doug McElmury

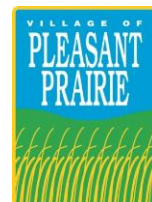
VILLAGE STAFF MEMORANDUM

TO: Jean Werbie-Harris, Community Development Director
FROM: Doug McElmury, Chief Fire & Rescue Department
CC: Deputy Chief, Craig Roepke
Lt. Thomas Clark, Fire & Rescue Department
Peggy Herrick, Assistant Planner, Community Development
SUBJECT: Review of the Site and Operational Plan for Uline Hydrogen Fuel Cell Storage
Facility, 13305 104th St.
DATE: 20 May 2015

This is the review of the Site and Operational Plan for Uline Hydrogen Fuel Cell Storage Facility, 13305 104th St.

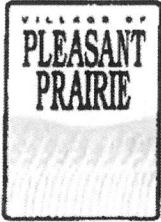
The Fire and Rescue Department will be responsible for providing fire prevention inspections of this facility, twice annually. The concerns of the Fire & Rescue Department are as follows:

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



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

- All components of the outdoor Hydrogen Fuel Cell Storage Facility and indoor refueling equipment shall be installed in accordance with the National Fire Protection Association (NFPA) 2 Hydrogen Technologies Code and the manufacturer's instructions.
- The enclosure shall be equipped with a Knox Box that will contain keys for the lock(s) on gate to the enclosure.
- There must be a pull station in the enclosure that is connected to the W2 fire alarm system with the nomenclature for the alarm point to be determined when the W2 fire alarm system is installed. We realize that the Hydrogen Storage Facility may be completed prior to the completion of the W2 fire alarm which will not delay the occupancy/start-up of the Hydrogen Storage Facility.
- Fire hydrants fed by the 20" water main shall be installed as shown on the plans dated 4-28-15 from Pinnacle Engineering that were included with this submittal.
- Site access shall be provided to the site for all Fire Department apparatus, and must comply with the State of Wisconsin and the International Building Code, 2009 edition. A minimum wall-to-wall turning radius of 45'-0" shall be allowed for apparatus movement.
- Bollards shall be placed near fire hydrants, remote post indicator valves (PIV) and Fire Department connection(s) to prevent damage. Bollards shall be 6 inches in diameter. Bollards shall not obstruct charged fire hoses. It is recommended that the Fire Department approve the location of the bollard(s) before final placement is made.
- The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.
- Provide two- (2) CD's, one for the property owner and one for the Fire & Rescue Department. The disks shall include all plans for the storage facility in an as-built condition.
- Occupancy inspection fee and re-inspection fee will be assessed at the final inspection in accordance with ordinance 180-17.
- All fire and life safety requirements must be in place prior to the facility being occupied.



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

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

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

 Use requires a Conditional Use Permit.

FOR OFFICE USE ONLY	
Application Filed on	5/6 20 15
Preliminary Determination of Completeness on:	5/6 20 15
Revised Plans Submitted:	20
Public Hearing Required: Hearing Date:	20
Published on: and	20 Notices sent on: 20
Approved by Plan Commission on	20
Zoning Administrator on	20
Denied by Plan Commission on	20
Zoning Administrator on	20

SECTION 1: GENERAL INFORMATION

NAME OF BUSINESS: ULINE

SITE ADDRESS: 13305 104th ST. PLEASANT PRAIRIE WI

BRIEF PROJECT DESCRIPTION: OPEN AIR HYDROGEN FUEL CELL STORAGE FACILITY W/ PERIMETER ENCLOSURE. THIS IS AN ACCESSORY USE TO THE ULINE DISTRIBUTION CENTERS

PROPOSED NUMBER OF FULL TIME EMPLOYEES: NA

PROPOSED NUMBER OF PART-TIME EMPLOYEES: NA

SITE SIZE: 3,940,000 sq. ft. 290 acres

PROPOSED BUILDING SIZE: — sq.ft. HEIGHT: — ft.

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

LEGAL DESCRIPTION: LOT 1 OF CSM 2679

TAX PARCEL NUMBER(S): 91-4-121-252-0203

CURRENT ZONING CLASSIFICATION(S) OF THE PROPERTY: PLANNED UNIT DEVELOPMENT

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

IBC DOES NOT APPLY TO THIS OPEN AIR STORAGE FACILITY

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: _____

THIS APPLICATION IS FOR A: (check one)

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

SECTION 2: EXISTING USES AND BUILDINGS ON THE SITE

Are there any existing buildings on the site? YES NO

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

SECTION 3: PHOTOGRAPHS

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

SECTION 4: CONDITIONAL USE

1. **Does the proposed project require a Conditional Use Permit?** **YES** **NO**
 - **If no** then skip to Section 5.
 - **If yes**, then continue with this Section.

2. **Are you amending an existing Conditional Use Permit?** **YES** **NO**
 - **If yes**, provide a copy of the Conditional Use Grant Document you are proposing to amend.
 - **If no**, continue with this Section.

3. If you answered **YES** to either question 1 or 2 above then this application shall include information as to how the proposed project will not impair an adequate supply of light and air to adjacent properties; increase danger of fire; cause traffic congestion or traffic circulation problems; create storm water flooding or drainage; create obnoxious odors, problems or otherwise endanger the public health, safety or welfare; will not hinder, harm or distract the provision of public services; and that the proposed project is not inherently inconsistent with either the district in which it is located or adjoining districts or neighborhoods as required pursuant to the Village Zoning Ordinance.

SECTION 5: NON-CONFORMING USE

1. **Is any use on the site a nonconforming use?** **YES** **NO**
 - **If no**, then skip to Section 7.
 - **If yes**, then continue with this section.

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

SECTION 6: PERFORMANCE STANDARDS

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

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

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

SECTION 7: PLAN COMPONENTS

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

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

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

SECTION 8: SIGNATURES

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

PROPERTY OWNER:

Name: Randy Copenhagen
(Please Print)

Signature: [Signature]

Address: 12575 Uline Drive
Pleasant Prairie WI 53158
(City) (State) (Zip)

Phone: (262) 612-4200 x5342

Fax: _____

E-mail: rcopenhagen@uline.com

Date 5/6/15

APPLICANT:

Name: PETER KUHA
(Please Print)

Signature: _____

Address: 333 E. CHILAGO ST.
MILWAUKEE WI 53202
(City) (State) (Zip)

Phone: 414-291-8190

Fax: _____

E-mail: _____

Date: 5.6.15

Is the applicant the owner of the property? YES NO

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

DEVELOPER (if Applicable)

Name: _____
(Please Print)

Signature: _____

Address: _____

(City) (State) (Zip)

Phone: _____

Fax: _____

E-mail: _____

Date _____

USER OR OCCUPANT OF SITE:

Name: _____
(Please Print)

Signature: _____

Address: _____

(City) (State) (Zip)

Phone: _____

Fax: _____

E-mail: _____

Date: _____

SITE AND OPERATIONAL PLAN – ULINE FUEL CELL PROJECT

05/04/2015

THIS DOCUMENT HAS BEEN PREPARED TO SATISFY PROCEDURAL REQUIREMENTS OF THE VILLAGE OF PLEASANT PRAIRIE FOR FINAL SITE & OPERATIONAL PLAN APPROVAL TO ALLOW ULINE TO USE HYDROGEN FUEL CELL TECHNOLOGY TO POWER THEIR FORK LIFTS.

1. Operational plan requirements.

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

The site is currently being used under a Planned Unit Development (PUD) for the purposes of supporting office and warehouse/distribution functions for ULINE.

Existing buildings on the site include-

- **H-1 Uline’s 274,704 sf Corporate Headquarters Office Building**
- **W-1 a 1,086,500 sf Distribution Center; and**
- **W-2 a 1,100,000 sf Distribution Center that is currently under construction and will be operational in January of 2016.**

Responses to the questions below provide a detailed narrative of the project, the operations and functions of the proposed uses.

2. Explain in a detailed written narrative and plans identifying the purpose, use and location of the hydrogen fuel cell project.

ULINE proposes to use hydrogen fuel cells to power their fleet of electric forklifts as an alternative to battery powered forklifts in the existing W-1 Distribution Center and the W-2 Distribution Center under construction. Plug Power, a leader in fuel cell solutions, will provide all the fuel cells, hydrogen refueling equipment, and maintenance for the duration of the project.

The proposed installation includes eight refueling stations installed indoors however no storage activity will be performed inside. All hydrogen will be kept outdoors in an area selected to comply with current regulations. The outdoor bulk storage will include a 18,000 gallon horizontal liquid hydrogen tank, 3 compression devices, and 120 kg of gaseous hydrogen storage. The bulk storage area will consist of a 72-foot x 50-foot concrete pad. A perimeter enclosure consisting of 16-foot tall precast wall panels and an ornamental metal fence will be provided to secure the yard. Unauthorized personnel will not be allowed in the yard. The outdoor bulk storage area (which does not have any canopies or roof structures) is not a building structure, therefore, the requirements of the International Building Code are not applicable. Because no hydrogen will be stored inside the W1 and W2 distribution centers these buildings do not get classified as Hazardous Use Occupancies per IBC.

The system will emit no harmful emissions (only heat and water). The system will provide hydrogen to ULINE, the sole user. This installation will not be a point of resale for hydrogen.

3. Explain in detail the hazards inside the building that are experienced with the batteries being used, charged and changed for the forklifts.

Lead acid batteries produce hydrogen sulfide (H₂S) under normal operation (especially charging). Due to this, ventilation is required in charging locations to eliminate the gas generated. Fuel cells do not emit emissions and no hydrogen is release inside the building, and thus doesn't require ventilation in the project proposed. In addition, lead acid batteries require the use of spill kits to neutralize any acid that could come in contact with concrete floors, or steel racking, etc.. when being handled, where hydrogen fuel cells do not. Eliminating the handling of batteries thus reduce the risk of spillage, in addition to any potential risk of injury for the person handling the battery.

4. Explain how the fuel cell technology would be safer and cleaner than the existing sulfuric acid filled batteries (no leakage, spills and damage and no exposure of sulfuric acid and no exposure of hydrogen gas from overcharging). Note that there would be less handling of the battery and less hydrogen gas with the fuel cell.

There have been multiple emergency incidents, due to the handling of lead acid batteries that have occurred in facilities located throughout Pleasant Prairie. The material handling processes proposed for the hydrogen fuel is safer than those in place for the handling of lead acid batteries. See responses to the questions above and below for further information.

5. Explain the process of transmitting the hydrogen (piping and monitoring) from the tank to the dispensing stations inside the buildings.

When a fuel cell connects to the fueling station, a series of checks are performed to ensure safe dispensing. Those include a leak check of the nozzle and piping, validation that the fuel cell is properly connected, ensuring the operator is standing on the presence detection mat, and that all the safeties (such as gas detectors, and flame detectors) are in safe conditions. If any of the aforementioned conditions are not met, the fueling will not start (or will stop). All the valves used in the dispensing of hydrogen are normally closed and will only open if there is a fuel cell connected to the other end of the fueling station. All the safety devices (gas detector/flame detector) are on constantly and will shut down the dispenser when triggered, even in between refueling events.

6. Describe the exposure zone areas outside of the project area.

The hydrogen will be stored and compressed outdoors. All equipment used in the processing of the hydrogen will be electrically classified Class 1, Division 2, Group B as per NFPA2. The pad location is proposed in an area that respects the various setbacks required per NFPA 2 as well. The applicable setbacks are as follows-

- **Setbacks from overhead Power Lines- 25-feet required, 50-feet provided**
- **Setbacks from sprinklered buildings- 50 feet required, 201-feet provided from W2 and 499-feet provided from W1**
- **Setbacks from property lines- 50 feet required, 141- feet to nearest property line located to the south.**

7. Identify what and where the closest other land uses to the project area.
See the attached Hydrogen Fuel Cell Plan which shows the location relative to the W1 and W2 Distribution Centers for closest land uses. The plan includes dimensions to both facilities
8. Identify where and how the hydrogen is pressurized.
The hydrogen will be pressurized on the outdoor pad proposed. Hydrogen will be delivered as a liquid and stored in a horizontal, double-walled tank. The hydrogen will be compressed when needed through the use of a liquid pump. Plug Power will be deploying (2) liquid pumps to offer 100% redundancy. A smaller gas compressor will also be deployed to help Plug Power manage the liquid hydrogen tank boil off (similar to what is currently in operation at ULINE on a temporary basis since October 2014).
9. Do you need permission from ATC to install a line under/through the ATC easement? Provide a copy of that written permission.
Please see attached email correspondence from ATC giving preliminary approval to the Fuel Cell and any utility crossings. We have reached out to ATC asking for a letter granting permission, we will forward this to the Village of Pleasant Prairie as soon as we receive it.
10. What has been completed for assuring a dependable water supply for firefighting and cooling operations for the hydrogen storage facility?
In accordance with VOPP Fire Chief McElmury's request two additional fire hydrants have been added on the north and west side of the fuel cell storage area to provide additional coverage. These hydrants are connected to the fire loop that is provided around the entire perimeter of the W2 Distribution Center.
11. Can you obtain a recommendation from the Fire & Rescue Chief on this project? (Benefit of this technology – reduced risk to the Fire & Rescue Department).
A recommendation letter is being provided by the Fire & Rescue Chief under separate cover.
12. Why are you doing this project? Is this a cost effective project-why? (longevity/time to change batteries)
Uline is requesting permits to add hydrogen fuel cells to power our lift trucks for three primary reasons:
- 1. Reliability - During a power outage our batteries can not be recharged but hydrogen can be operational with only a small fraction of the power from a backup generator**
 - 2. Safety - Lead acid batteries currently power our lifts. These have many hidden hazards including exposure to acid, exposure to lead, uncontrolled release of hydrogen during charging (vs. hydrogen fuel cells which contain all the hydrogen) and stored electricity potentially shorting out. These hazards are eliminated with hydrogen fuel cells.**
 - 3. Grow our business - Lift trucks operating on fuel cells require substantially less time to refill as compared to changing batteries. This provides additional time to perform value added tasks that better serve our customers**

- 13 How long has this hydrogen cell technology been available and where? Is it safe? Who else is using this technology?

Plug Power has been working with hydrogen fuel cells since 1997. The forklift operators have been adopting the technology at a fast pace for the past 5 years. Plug Power now has over 6,000 fuel cells at over 60 customer locations across North America and Europe, accumulating over 20 million hours of run time. Plug Power has successfully deployed multiple sites with Wal-Mart, Coca-Cola, P&G, BMW, Mercedes, Volkswagen, Honda, FEDEX, Lowes, ACE Hardware, Sysco, Wholefoods, Kroger, Winco, Wegmans, Nestle and counting. All those customers are safety conscious and strive for a safe working environment for their associates and see fuel cells as a safer alternative to fuel cells. Plug Power's products are refilled approximately 10,000 times daily (all performed by operators) with no recordable incidents.

ATC APPROVAL EMAIL

Peter Kucha

From: Peter Kucha
Sent: Tuesday, May 05, 2015 4:03 PM
To: Peter Kucha
Subject: FW: Uline Fuel Cell Storage Facility

From: Marciniak, Anthony [<mailto:amarciniak@atcllc.com>]
Sent: Tuesday, May 05, 2015 11:17 AM
To: Matt Carey
Subject: RE: Uline W2 Updates

Matt,

Your current grading plan is acceptable. Our concern is the ability to adequately and safely have access to maintain the line. The following guidelines must be addressed when working around ATC Facilities.

1. The finished grade should not exceed 741 and stay not less than 20 feet away from any ATC structure. This appears to be already addressed and shown on the plan.
2. ULINE is proposing running hydrogen related lines under the entire width of the easement. This is not currently shown on the plans. The lines would have to be buried at a depth deep enough below grade to not be damaged by heavy maintenance vehicles or buried and encased in concrete. The hydrogen lines should be clearly marked by signs on each side of the easement properly showing its location. ATC is not liable for any damage to the underground lines at any time during normal maintenance operations.
3. Please provide a final asbuilt showing all facilities within the easement for our records.

Please provide a final plan when available.

Thank you,

*Tony Marciniak
Engineering - TLine Services*



*P.O. Box 47
Waukesha, Wisconsin 53187-0047*

*Phone: 262-506-6814
Fax: 262-506-6124
Email: amarciniak@atcllc.com*

From: Matt Carey [<mailto:matt.carey@pinnacle-engr.com>]
Sent: Friday, May 01, 2015 11:42 AM
To: Marciniak, Anthony
Cc: Ernst, Matthew
Subject: RE: Uline W2 Updates

This is an EXTERNAL email. STOP and THINK before you click links or open attachments.

Tony,

Follow up on my voice mail today, attached is the updated grading plans for the Uline W2 development. There have been some recent requested changes within or adjacent to the ATC easement. Can you please take a look at the plans and let us know of any comments or if we are ok to proceed as shown?

Proposed changes from the previous approved plan include the following:

- Sheet C-10: Requested change outline in previous email below. Includes raising a portion of the proposed sidewalk within the easement so that it is at the adjacent roadway elevation.
- Sheet C-11: The road that ran through the easement (and connects the two facilities) has been removed.
- Sheet C-12: The road that ran through the easement (and connects the two facilities) has been removed.
- Sheet C-12: Had to add some storm pipe and cut a ditch into the ATC easement to drain a low, depression area. See previous correspondence on this email chain. No fill proposed.
- Sheet C-13: Previously discussed fuel cell has been added to plan. Located outside of ATC easement. Concept of "Static Shock" was considered and the team has implemented additional grounding measures.

Please let me know if you have any questions.

Thanks,

Matt A. Carey, P.E. (WI, IL), LEED AP | Project Engineer

 **PINNACLE ENGINEERING GROUP**
Engineering | Natural Resources | Surveying
15850 W. Bluemound Road | Suite 210 | Brookfield, WI 53005
(262) 754-8888 Main | (269) 352-1550 Mobile | (262) 754-8850 Fax
matt.carey@pinnacle-engr.com | www.pinnacle-engr.com

PLAN | DESIGN | DELIVER

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ULINE FUEL CELL PROJECT

13305 104th Street,
Pleasant Prairie, WI 53158



eppstein uhen : architects

SITE AND OPERATIONAL PLAN

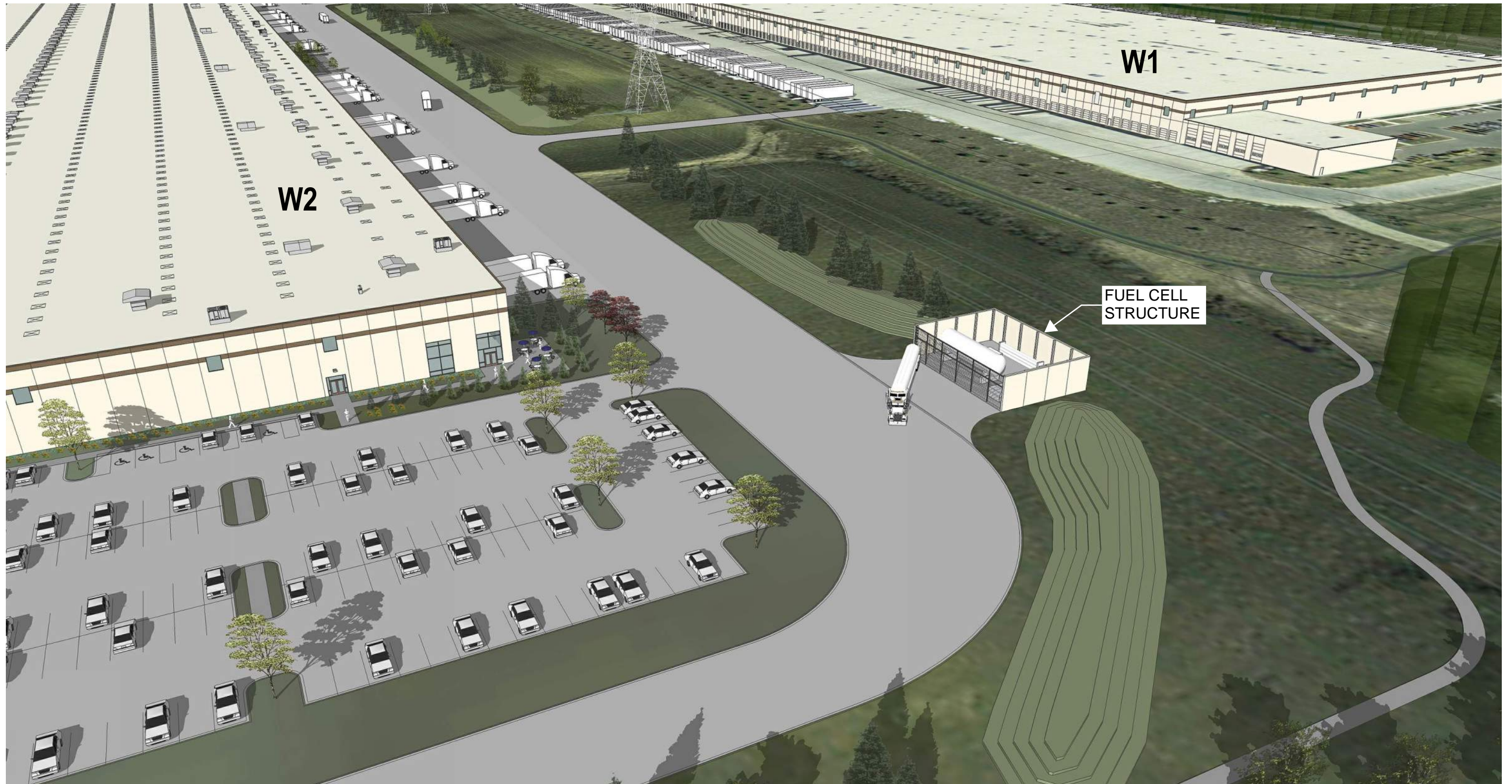
05/06/2015

PROJECT NUMBER: 213394-01



SHEET INDEX

SHEET IDENTIFICATION	
CIVIL	
	HYDRANT COVERAGE EXHIBIT
	HYDROGEN FUEL CELL - CIVIL PLAN
STRUCTURAL	
S101H	HYDROGEN FUEL CELL STATION
ARCHITECTURAL	
A101H	HYDROGEN FUEL CELL STATION
ELECTRICAL	
E001B	PARTIAL SITE PLAN - ELECTRICAL
E002B	PARTIAL SITE PLAN B - ELECTRICAL
E001BL	PARTIAL SITE LIGHTING PLAN
SYSTEM PROVIDER	
TS 001	COVER SHEET
TS 002	PROJECT OVERVIEW
A-101	SITE LAYOUT
A-201	OUTDOOR EQUIPMENT LAYOUT
A-202	OUTDOOR EQUIPMENT SECURITY
A-203	OUTDOOR EQUIPMENT PAD SETBACKS
A-205	OUTDOOR EQUIPMENT WEIGHT DETAILS
E-201	OUTDOOR EQUIPMENT UNDERGROUND CONDUITS AND GROUNDING
E-202	OUTDOOR EQUIPMENT ELECTRICAL CLASSIFICATION



W2

W1

FUEL CELL
STRUCTURE

LOOKING NORTHEAST



ULINE W2 DISTRIBUTION CENTER

FUEL CELL LOCATION



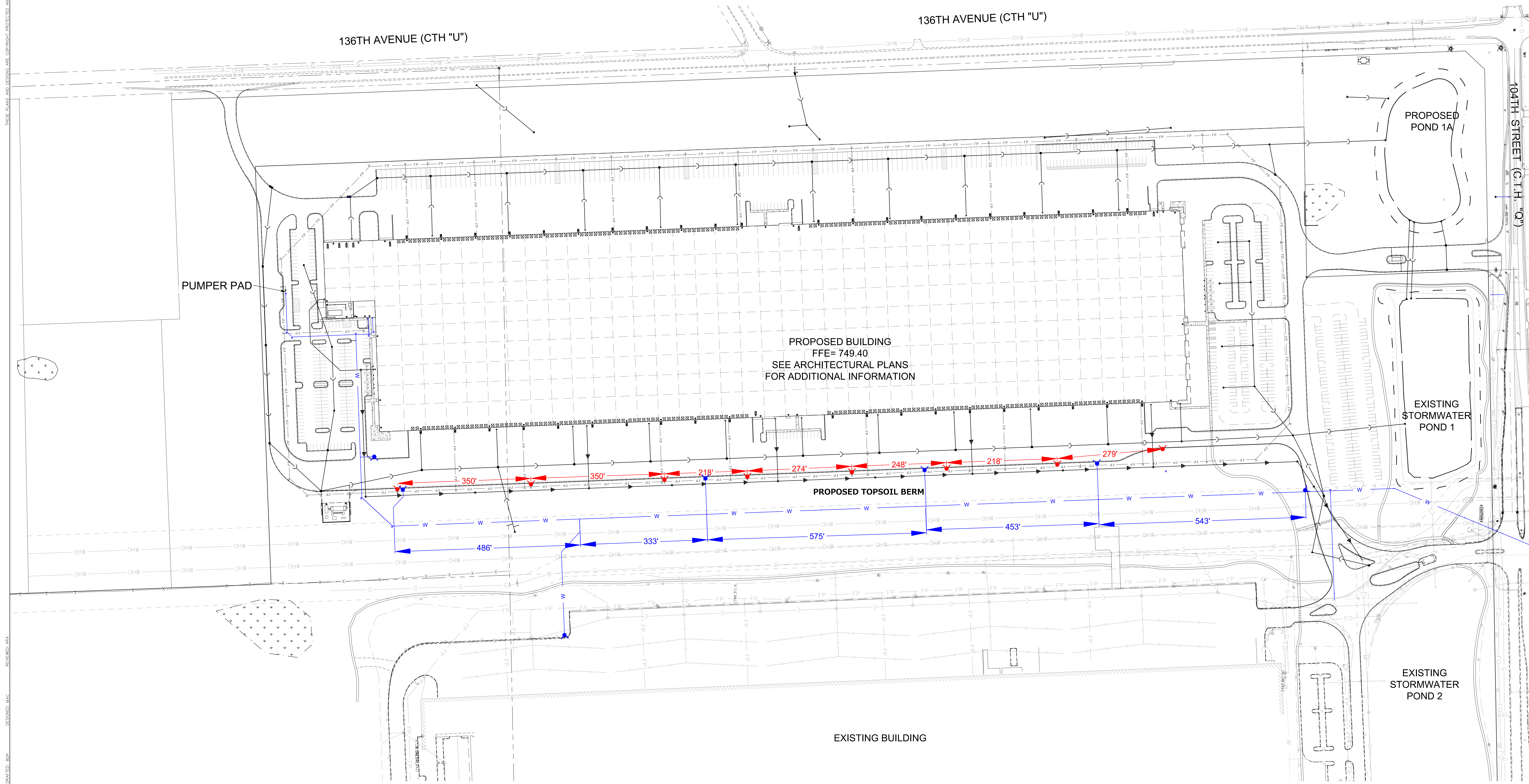
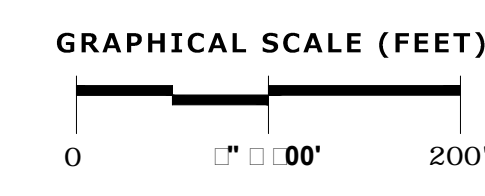
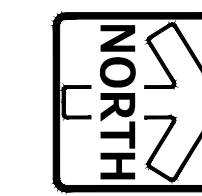
eppstein uhen : architects

213394-01
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LEGEND			
	SANITARY SEWER MANHOLE		WATER MAIN
	STORM SEWER MANHOLE		FIRE PROTECTION
	STORM SEWER INLET - ROUND CASTING		UTILITY CROSSING
	STORM SEWER INLET - RECTANGULAR CASTING		GRANULAR TRENCH BACKFILL
	PRECAST FLARED END SECTION		LIGHTING
	CONCRETE HEADWALL		ELECTRICAL CABLE
	VALVE VAULT		ELECTRICAL TRANSFORMER OR PEDESTAL
	VALVE BOX		POWER POLE
	FIRE HYDRANT		POWER POLE WITH LIGHT
	BUFFALO BOX		STREET SIGN
	CLEANOUT		GAS MAIN
	SANITARY SEWER		TELEPHONE LINE
	FORCE MAIN		UTILITY TO BE REMOVED
	STORM SEWER		



DESIGNED: ABA
REVIEWED: MAC
DRAWN: BDP

PLAN | DESIGN | DELIVER

PINNACLE ENGINEERING GROUP
ENGINEERS | NATURAL RESOURCES SURVEYORS

WISCONSIN OFFICE:
20250 S. STEUBEN LANE, SUITE 200
PLEASANT PRAIRIE, WI 53090
(262) 754-8000

ULINE CORPORATE CAMPUS
PLEASANT PRAIRIE, WI

HYDRANT COVERAGE EXHIBIT

REVISIONS	

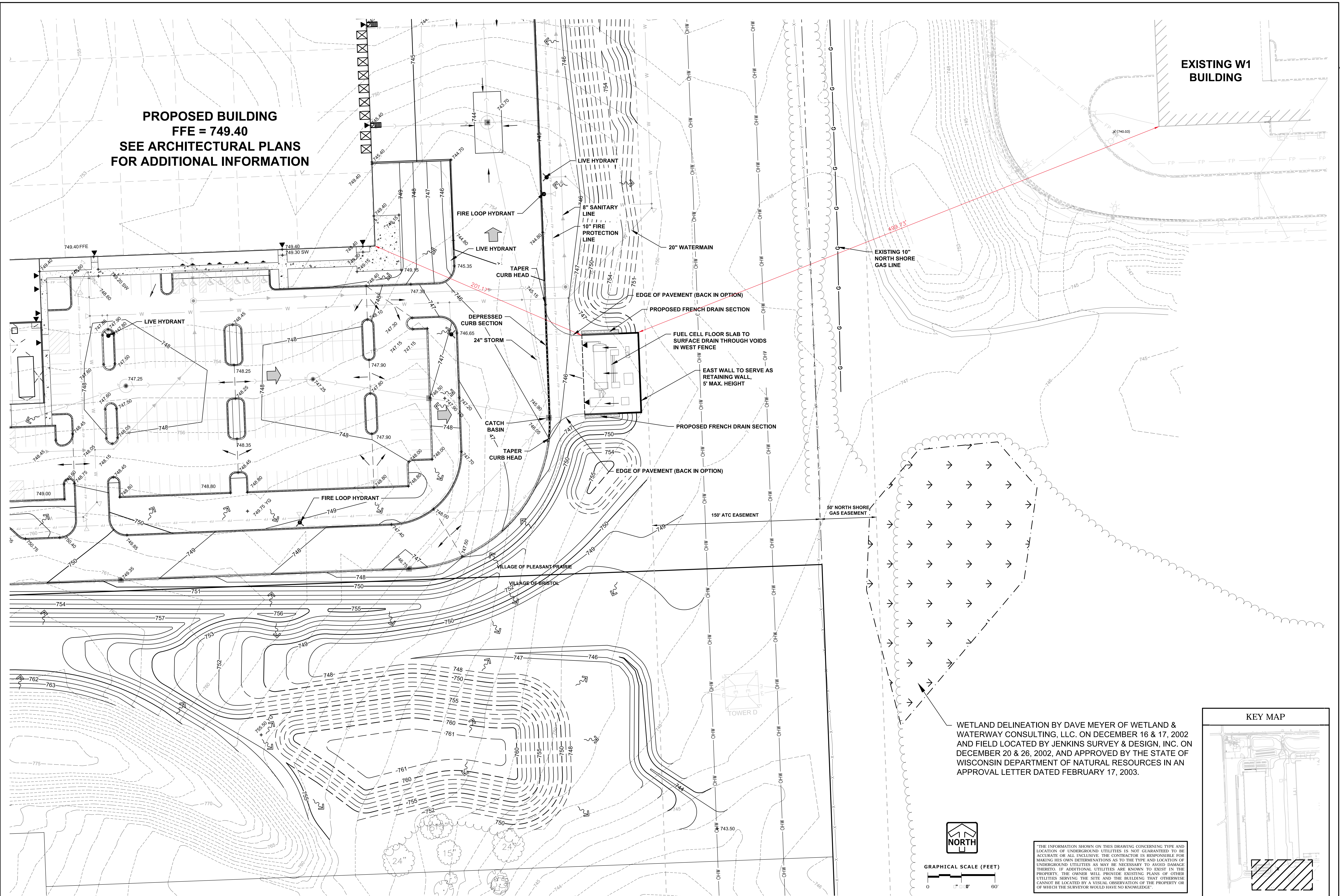
PREC. JOB NO.	119,770	SHEET	1
PREC. PN.	ABA	OF	1
START DATE:	01/28/15		
SCALE:			

FOR REVIEW
HYDRANT COVERAGE EXHIBIT
www.pinnacle-engr.com

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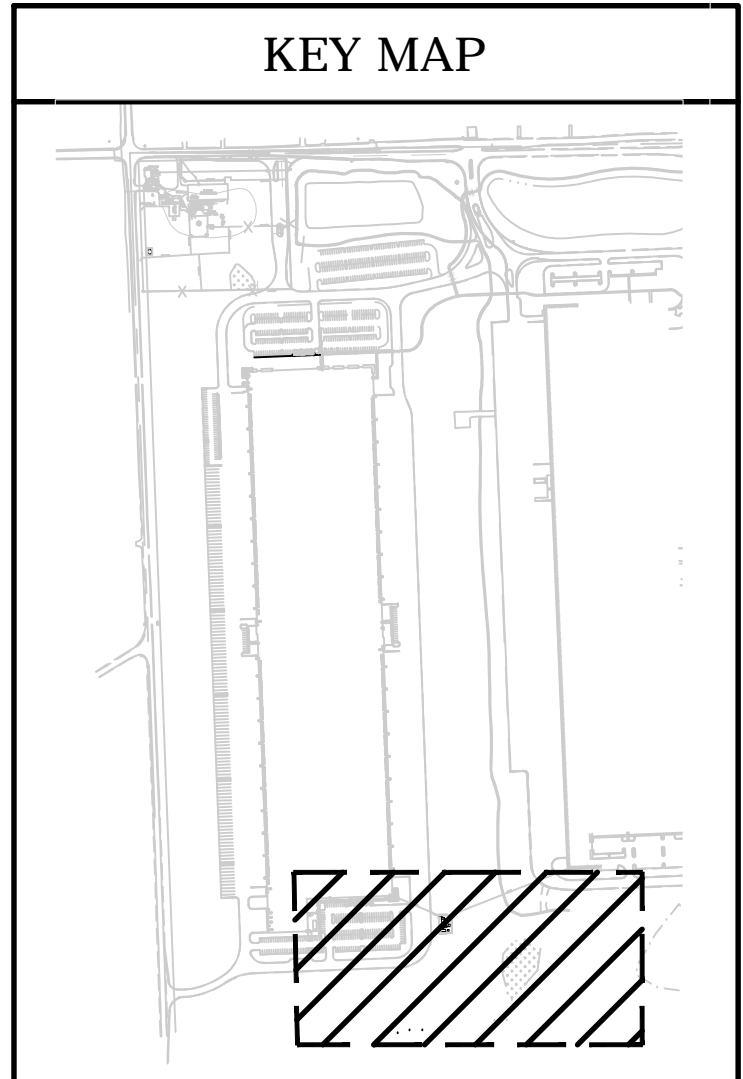
PROPOSED BUILDING
FFE = 749.40
SEE ARCHITECTURAL PLANS
FOR ADDITIONAL INFORMATION

**EXISTING W1
BUILDING**

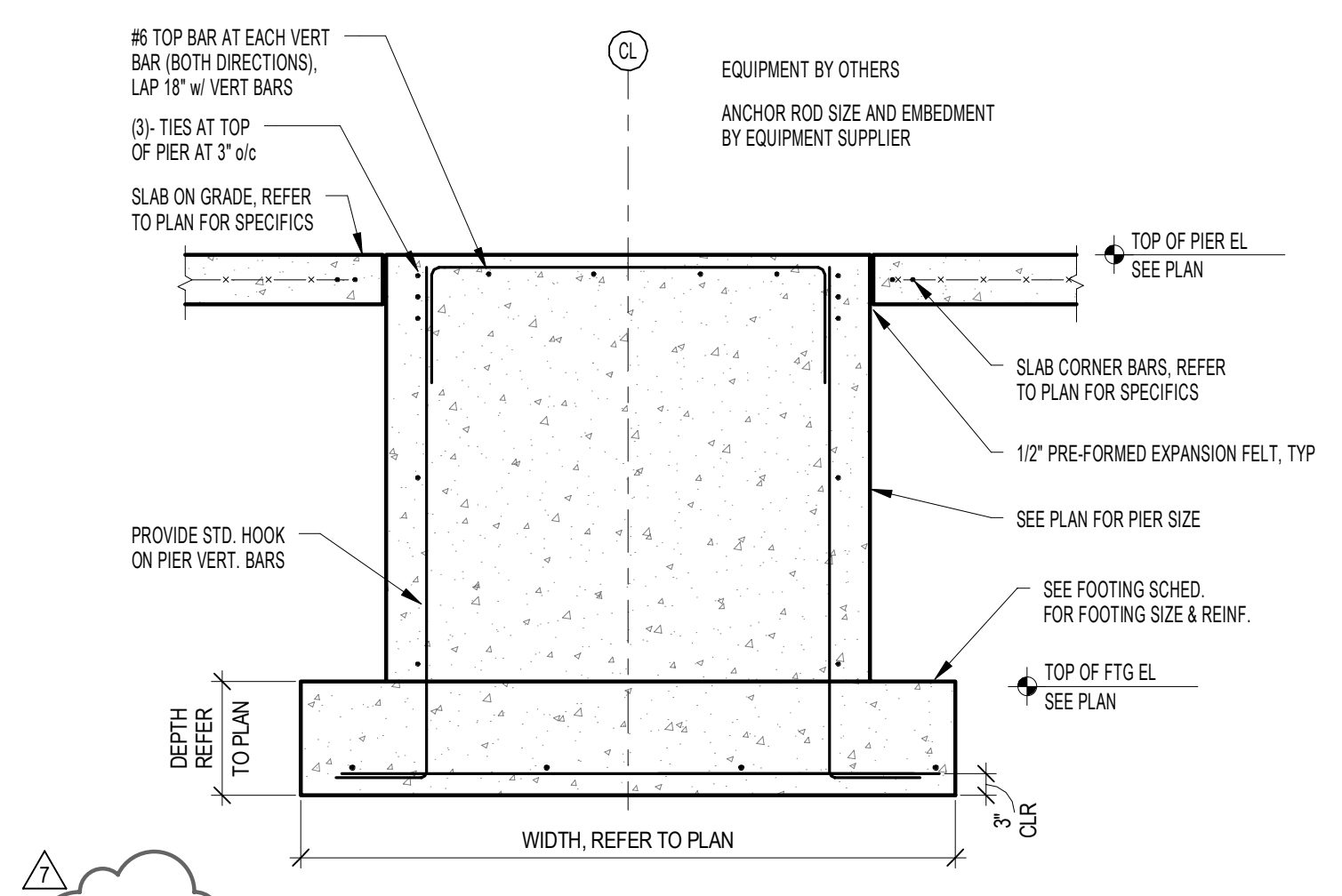


GRAPHICAL SCALE (FEET)
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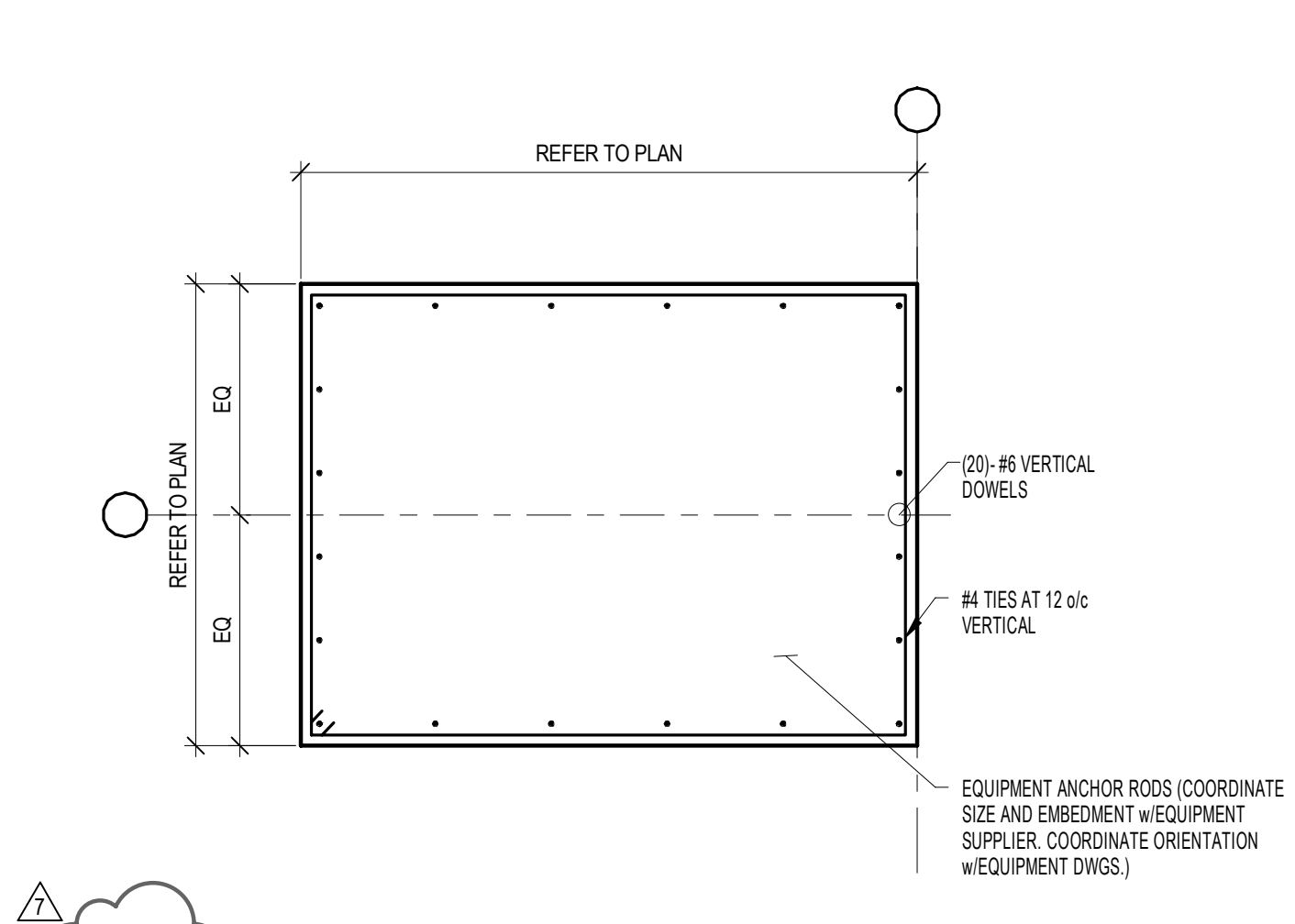
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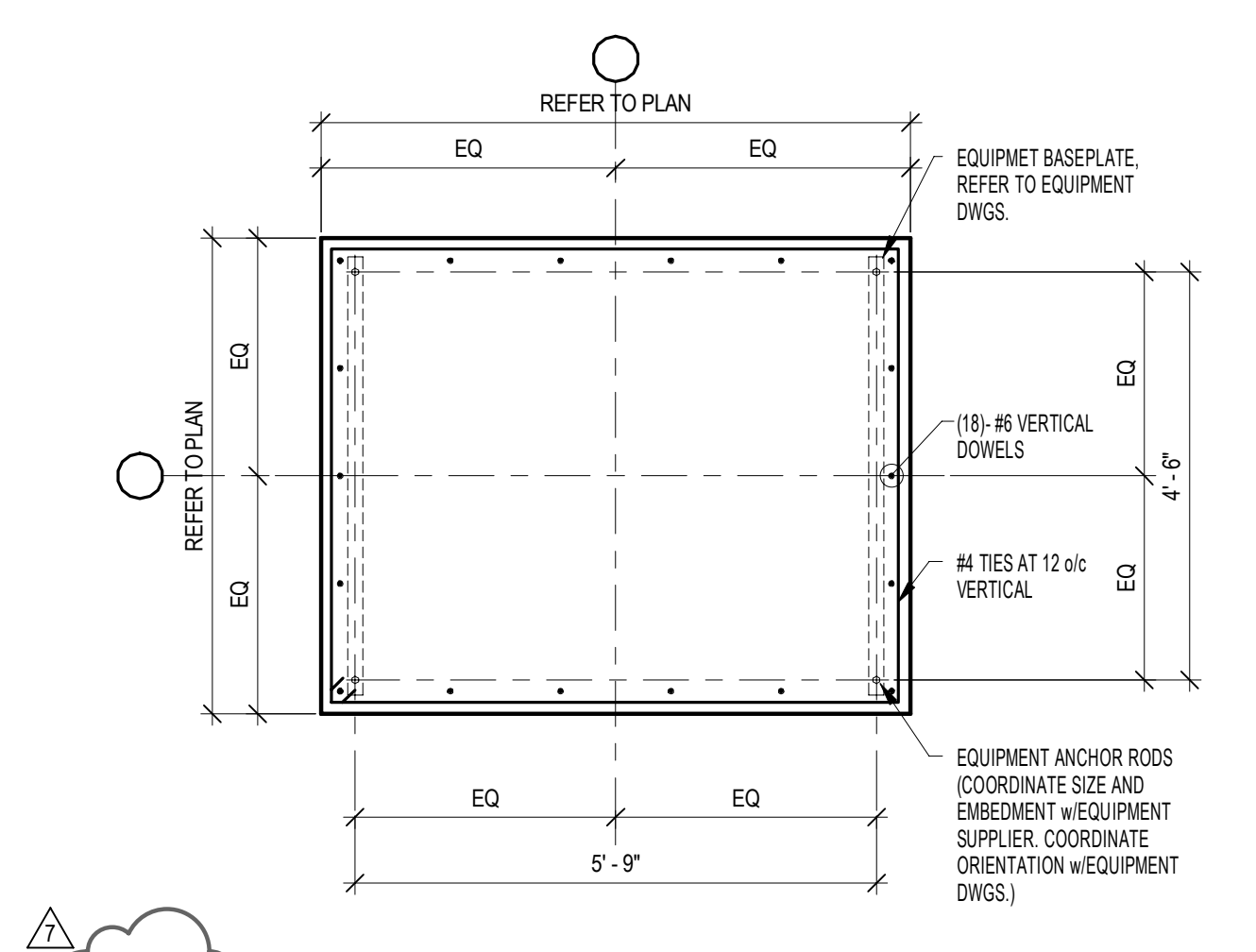
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12 SQUARE EQUIPMENT PIER w/FOOTING
SCALE: NTS



11 R11
SCALE: NTS



10 P10
SCALE: NTS

CONCRETE PIER SCHEDULE

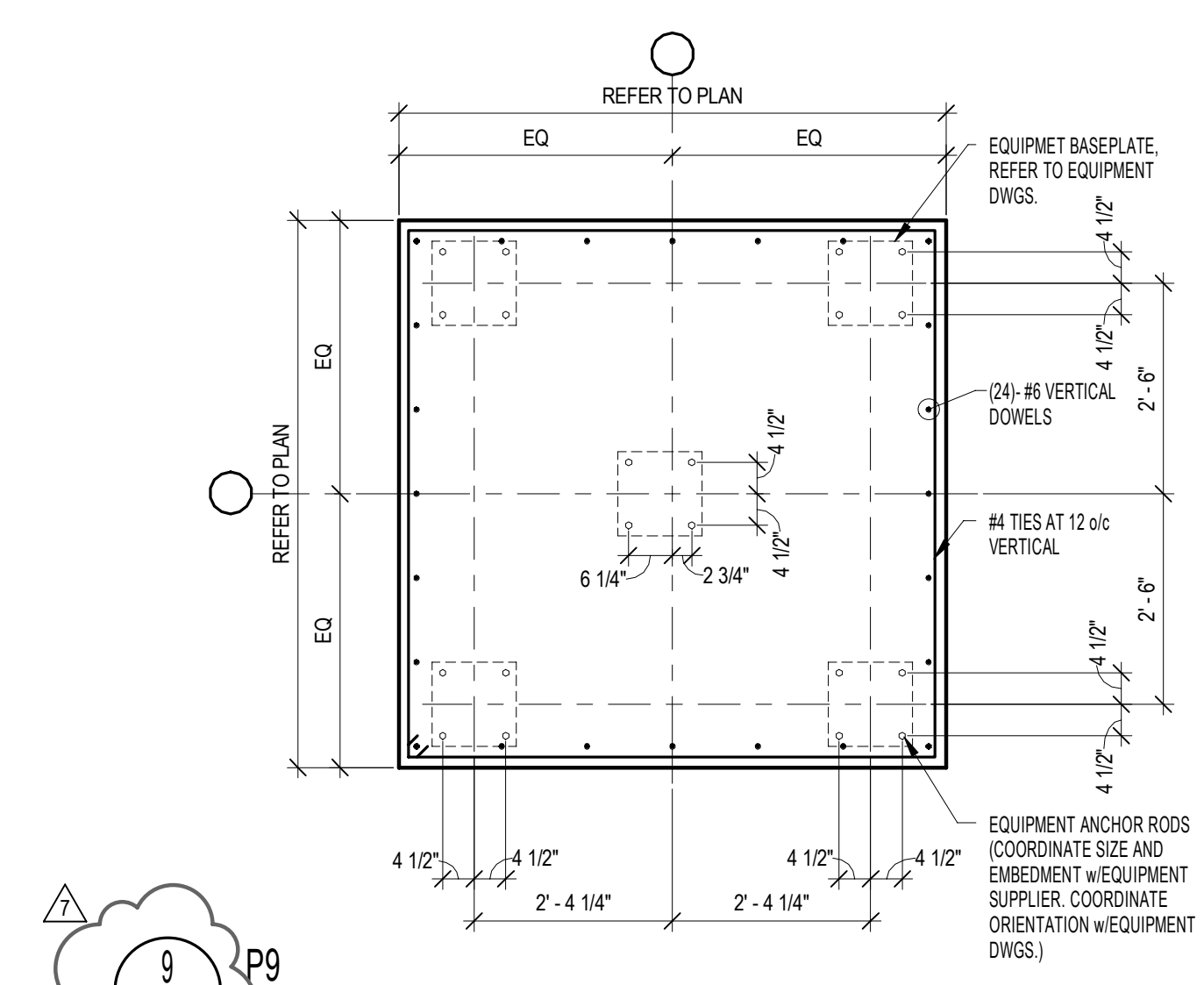
MARK	SIZE	REINFORCEMENT	REMARKS
P1	36"x36"	8-#8 VERTICAL w/#3 TIES @ 12"OC	
P2	24"x24"	4-#8 VERTICAL w/#3 TIES @ 12"OC	
P3	18"x18"	4-#8 VERTICAL w/#3 TIES @ 12"OC	
P4	12"x12"	4-#8 VERTICAL w/#3 TIES @ 12"OC	
P5	32"x32"	8-#8 VERTICAL w/#3 TIES @ 12"OC	
P6	18"x108"	REFER TO PIER DETAIL	REFER TO PIER DETAILS S5101H & S5101H
P7	24"x168"	REFER TO PIER DETAIL	REFER TO PIER DETAIL S101H
P8	24"x90"	REFER TO PIER DETAIL	REFER TO PIER DETAIL S101H
P9	78"x78"	REFER TO PIER DETAIL	REFER TO PIER DETAIL S101H
P10	63"x78"	REFER TO PIER DETAIL	REFER TO PIER DETAIL 10S101H
P11	78"x84"	REFER TO PIER DETAIL	REFER TO PIER DETAIL 11S101H

FOOTING SCHEDULE

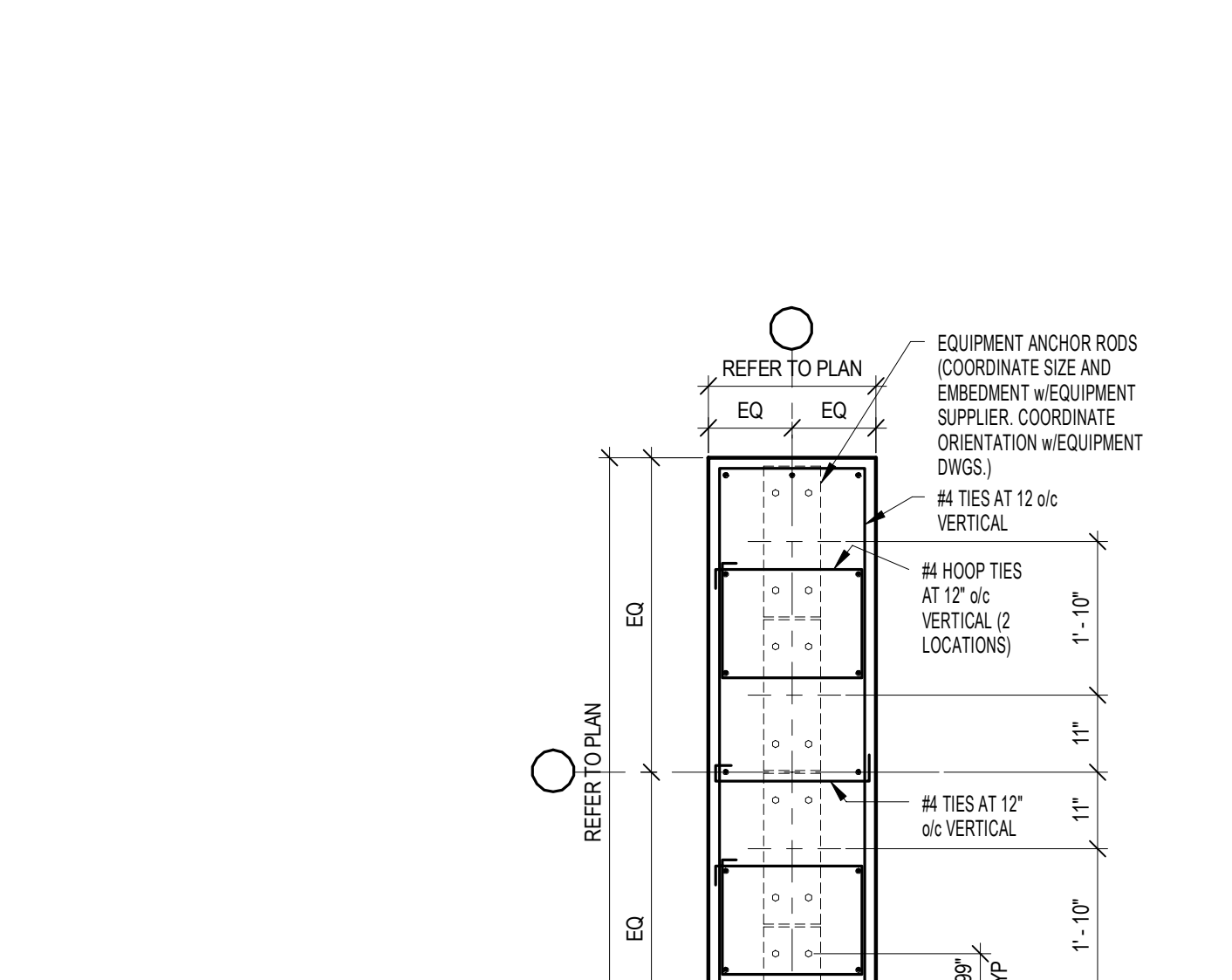
MARK	WIDTH	LENGTH	DEPTH	REINFORCEMENT	REMARKS
F17	5'-0"	9'-0"	2'-0"	5-#6 LONG & 15-#5 TRANS TOP, 5-#6 LONG & 6-#5 TRANS BOTTOM	
F18	4'-0"	10'-0"	1'-0"	4-#6 LONG & 12-#6 SHORT TOP, 6-#6 LONG & 12-#6 SHORT BOTTOM	
F19	2'-4"	10'-0"	1'-0"	2-#6 LONG & 12-#6 SHORT TOP, 6-#6 LONG & 7-#6 SHORT BOTTOM	
F20	7'-0"	7'-0"	1'-0"	6-#6 BOTH WAYS, TOP & BOTTOM	
F21	4'-0"	6'-0"	1'-0"	4-#6 LONG & 6-#6 SHORT TOP, 4-#6 LONG & 6-#6 SHORT BOTTOM	
F22	5'-0"	7'-0"	1'-0"	6-#6 BOTH WAYS, TOP & BOTTOM	
F23	7'-0"	7'-0"	1'-0"	6-#6 BOTH WAYS, TOP & BOTTOM	

COLUMN SCHEDULE

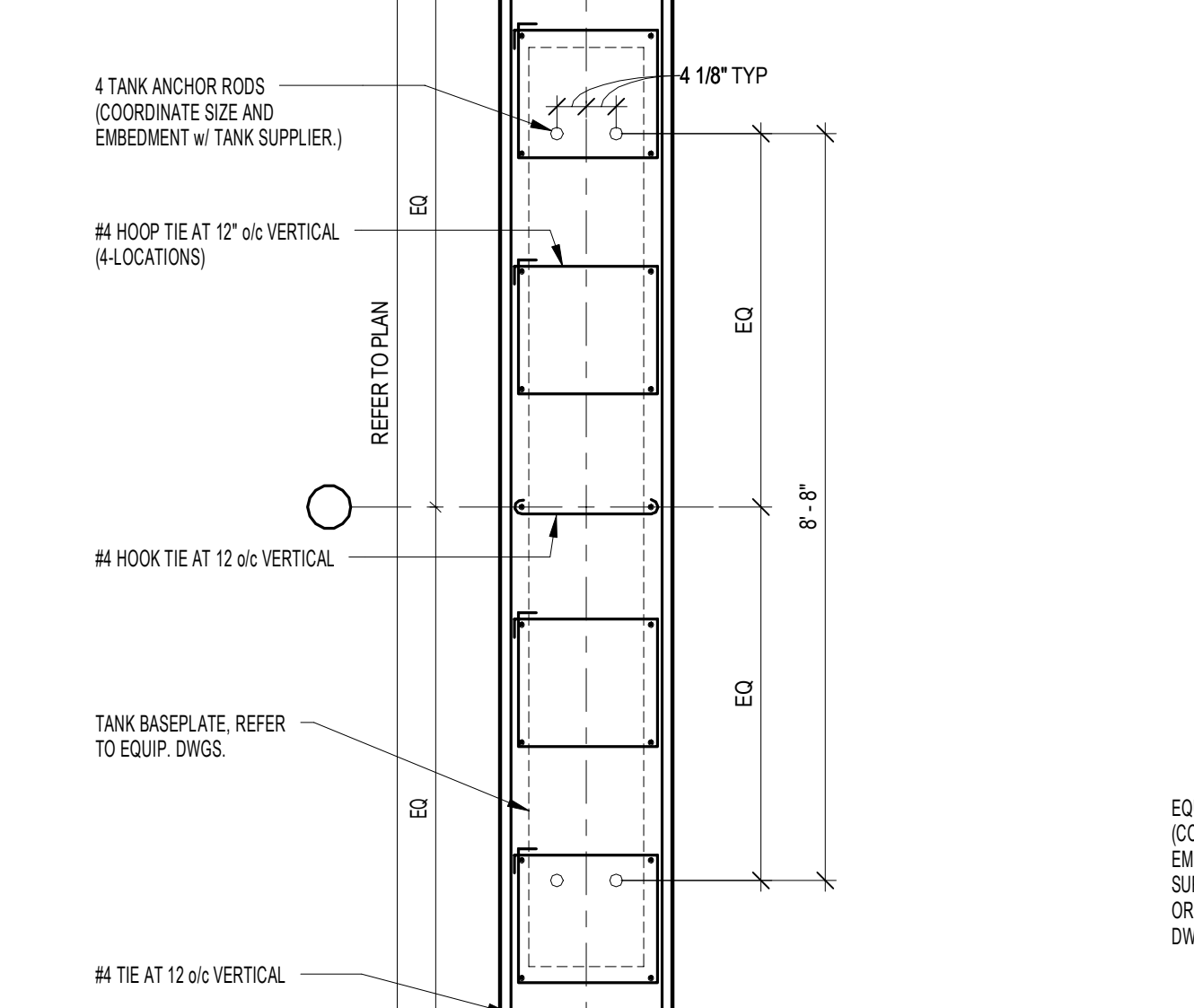
MARK	TYPE	BASE PLATE	REMARKS
C1	W14X90	BASE PL 1 3/4" x 16" x 11'-0" w/ 4- 1 1/4" DIA ANCHOR BOLTS	SEE 1/3/301, 6 & 9/3/300
C2	W12X33	BASE PL 1 1/4" x 13" x 1'-3" w/ 4- 3/4" DIA ANCHOR BOLTS	SEE 2/3/301 SIM
C3	HSS4X4X1/4	BASE PL 1/2" x 10" x 0'-10" w/ 4- 3/4" DIA ANCHOR BOLTS	SEE 3/3/301
C4	W14 X 90	BASE PL 1 1/2" x 16" x 11'-0" w/ 4- 1 1/4" DIA ANCHOR BOLTS	SEE 2 & 6/3/301
C5	W14X109	BASE PL 2" x 16" x 11'-0" w/ 4- 1 1/4" DIA GR. 105 ANCHOR BOLTS	SEE 1/3/301, 6 & 9/3/300
C6	W14X 90	BASE PL 3/4" x 16" x 11'-0" w/ 4- 3/4" DIA ANCHOR BOLTS	SEE 2/3/301
C7	HSS16X16X3/8	BASE PL 3/4" x 21" x 1'-3" w/ 4- 3/4" DIA ANCHOR BOLTS	SEE 4/3/301
C8	W14 X90	BASE PL 2 1/2" x 20" x 2'-0" w/ 4- 1 1/4" DIA ANCHOR BOLTS	SEE 1/3/301 SIM
C9	W 14X90	BASE PL 2 1/2" x 22" x 2'-0" w/ 4- 1 1/4" DIA ANCHOR BOLTS	SEE 1/3/301 SIM
C10	W12X40	BASE PL 1 1/2" x 20" x 1'-8" w/ 4- 1" DIA ANCHOR BOLTS	SEE 1/3/301 (EMBED ANCHOR RODS 30")
C11	HSS5X5X1/4	BASE PL 1/2" x 11" x 0'-11" w/ 4- 3/4" DIA HILTI KWIK BOLTS 3 EXPANSION ANCHORS	SEE 8/5/403
C12	W12X30	BASE PL 1 5/8" x 18" x 1'-6" w/ 4- 1" DIA ANCHOR BOLTS	SEE S101H (EMBED ANCHOR RODS 30")



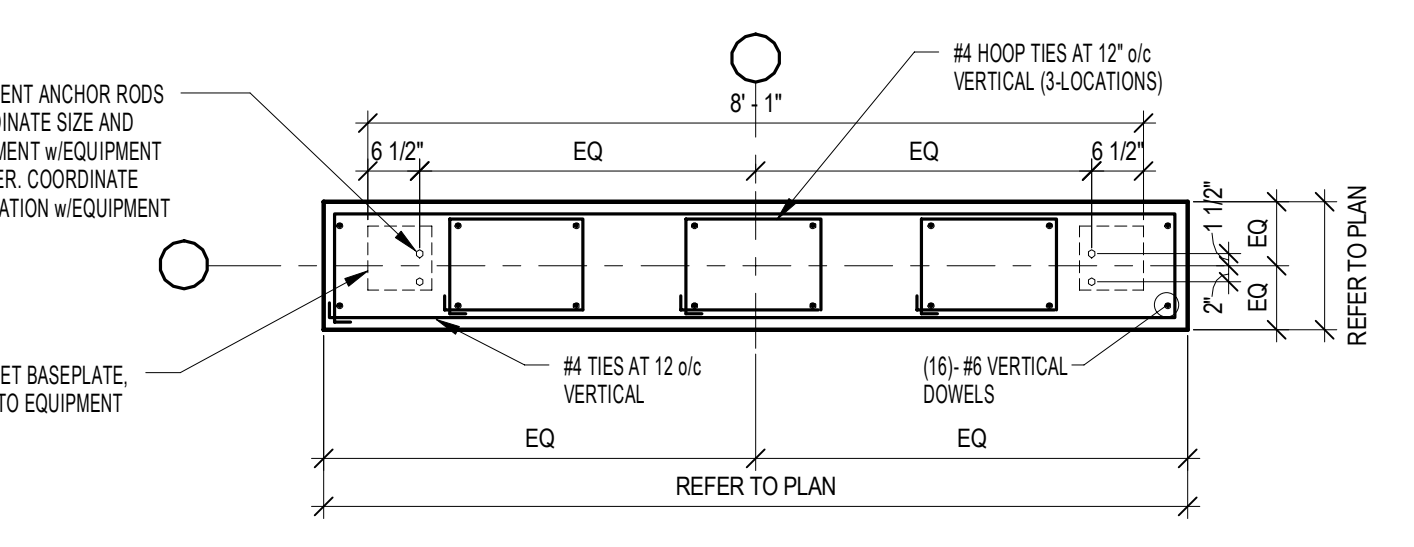
9 P9
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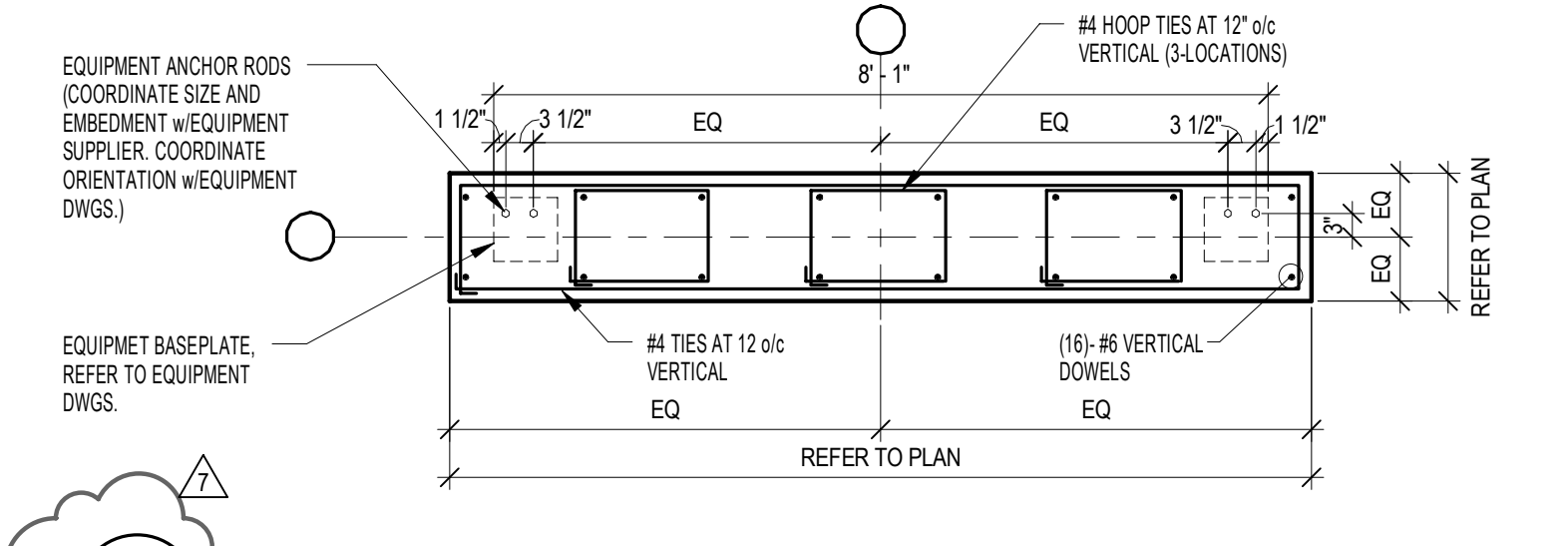
8 P8
SCALE: NTS



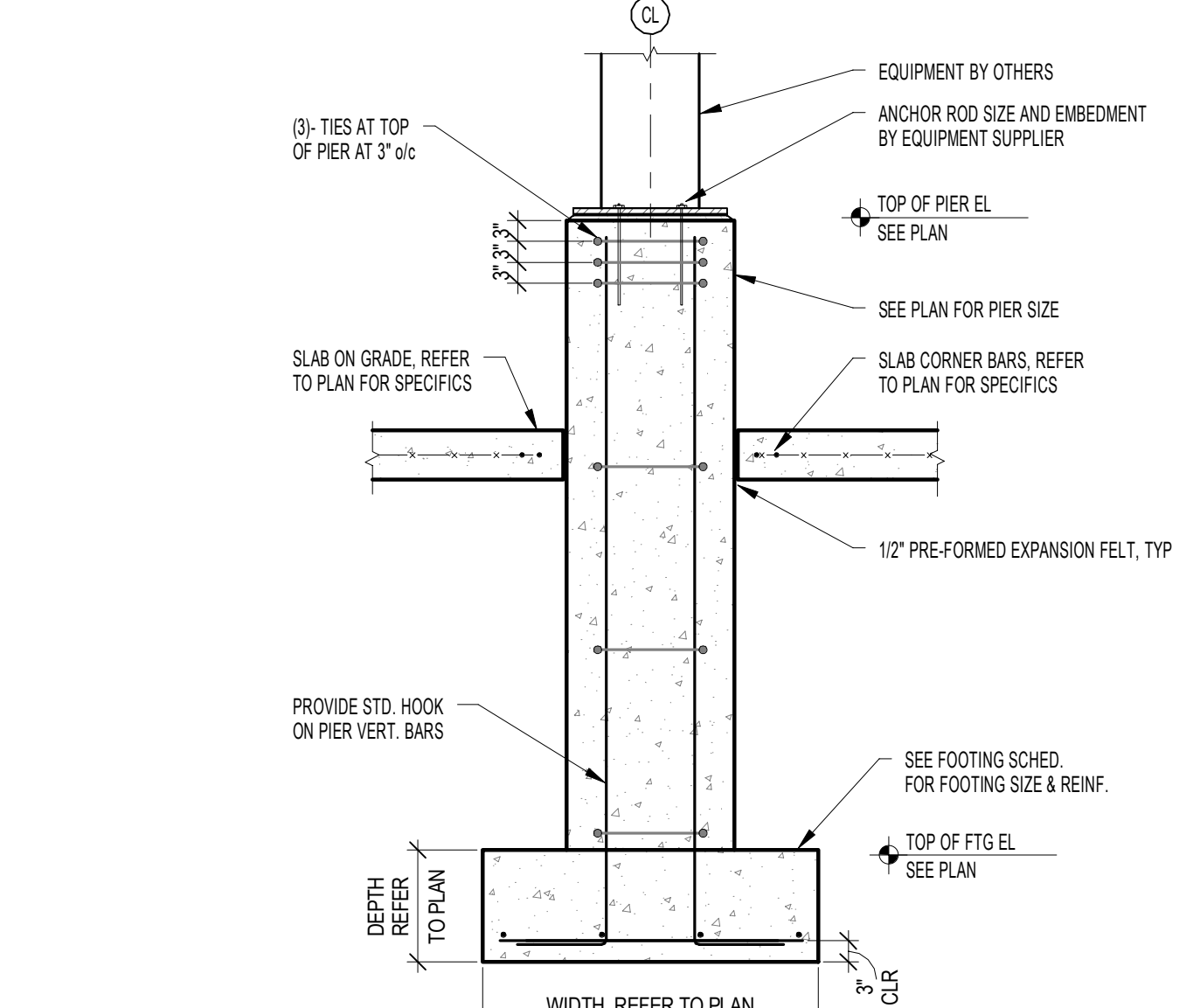
7 P7
SCALE: NTS



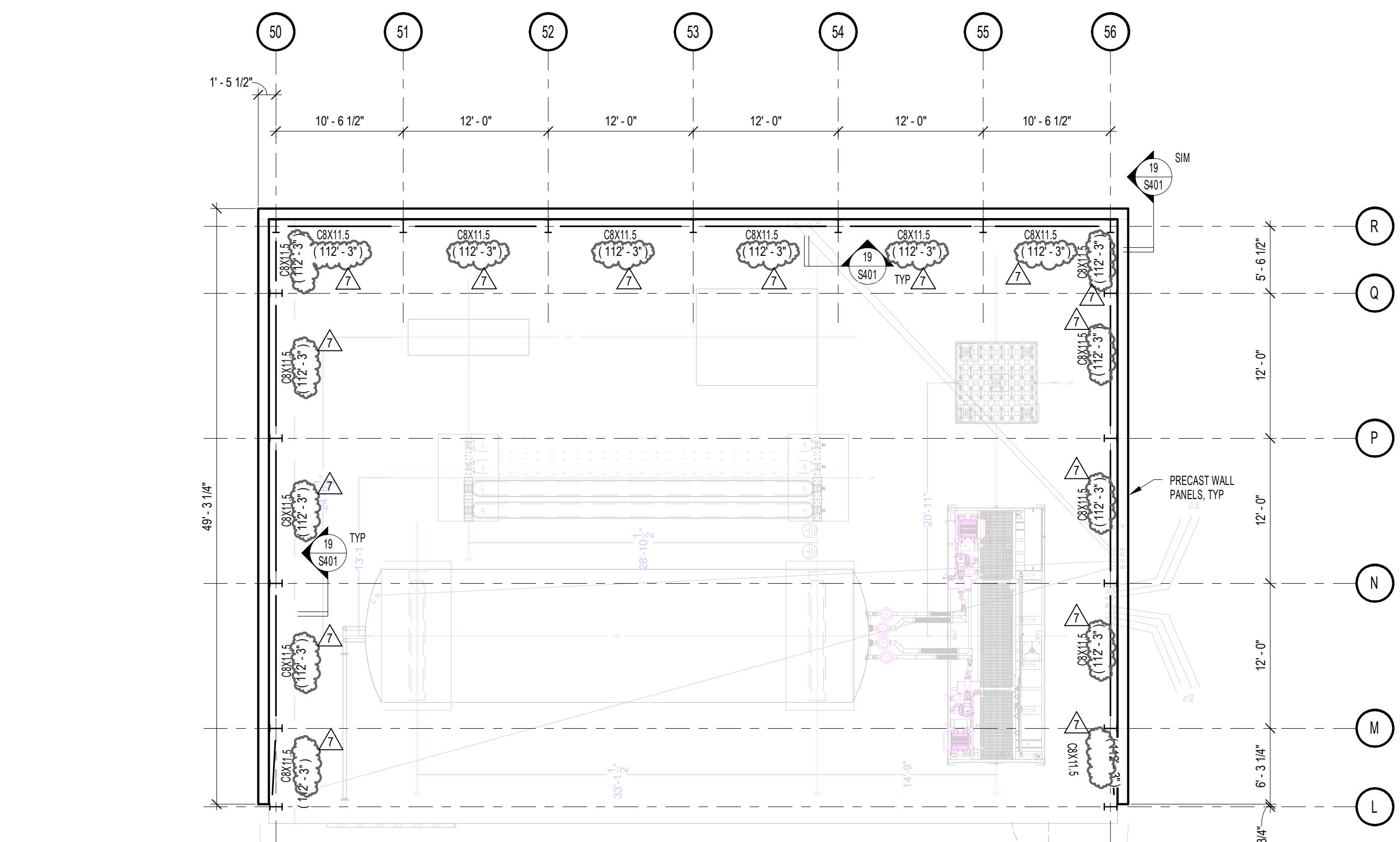
6 P6 (SIM)
SCALE: NTS



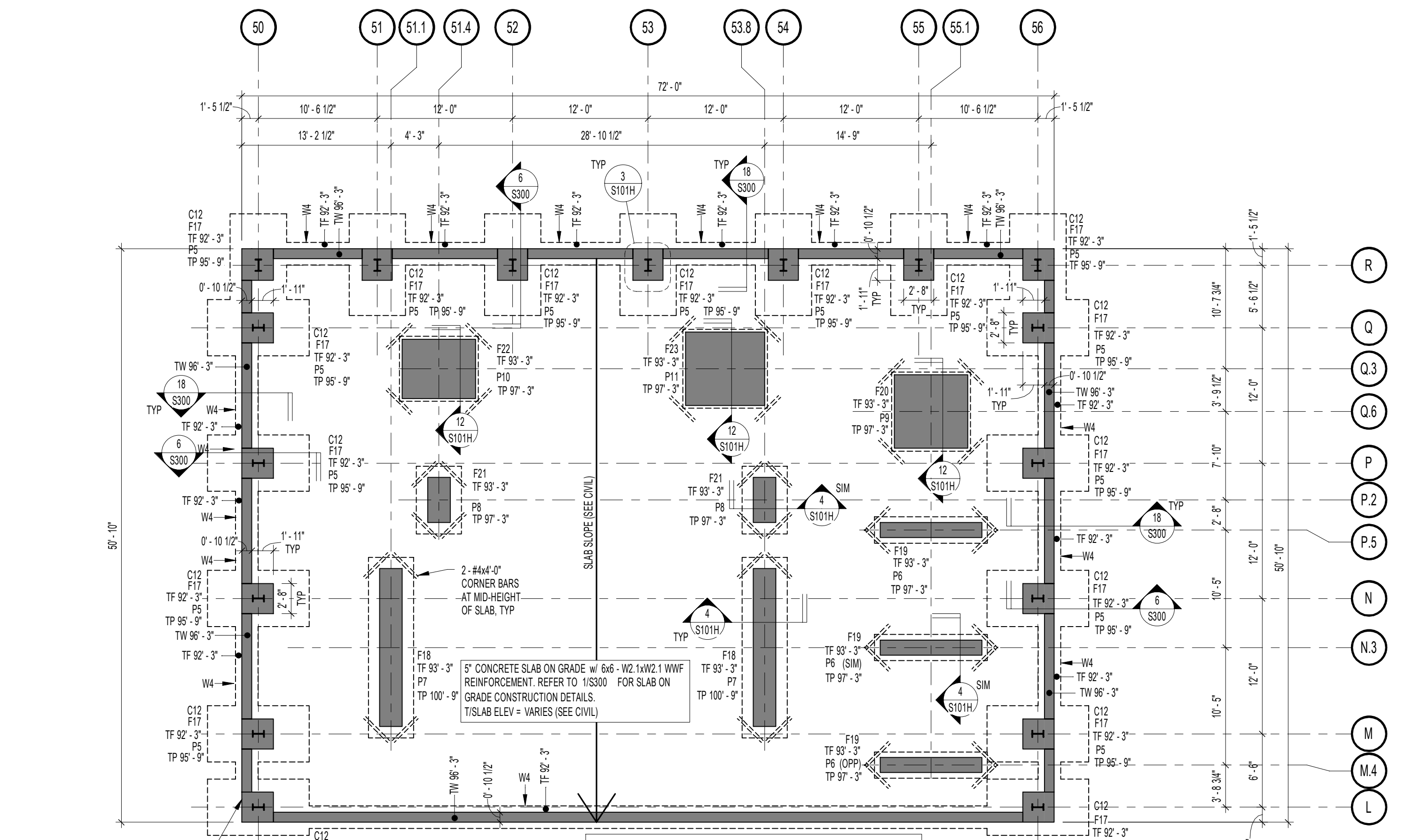
5 P6
SCALE: NTS



4 RECTANGULAR EQUIPMENT PIER w/FOOTING
SCALE: NTS



2 FRAMING PLAN
SCALE: 1/8" = 1'-0"



1 FOUNDATION PLAN
SCALE: 1/8" = 1'-0"

- NOTES:**
1. PRECAST WALL PANELS TO BE 12'-0" WIDE AND SPAN VERTICALLY BETWEEN FOUNDATION WALL AND CBX1.5
 2. PRECAST WALL PANELS TO RETAIN SOIL UP TO 5'-0" MAX DEPTH. SEE CIVIL GRADING DWGS.
- ALL STEEL TO BE GALVANIZED

- FOUNDATION PLAN NOTES:**
1. ALL STEEL TO BE GALVANIZED.
 2. ALUMINUM FENCE AND FOUNDATION BY OTHERS.
 3. REFER TO CIVIL DWGS FOR PIPE BOLLARD DETAILS IN FRONT OF FENCE.
 4. GC TO COORDINATE EQUIPMENT ANCHOR ROD SIZE, EMBEDMENT, LOCATION, AND ORIENTATION. ANCHOR ROD LOCATIONS PROVIDED IN THESE DRAWINGS WERE DETAILED PER EQUIPMENT DRAWINGS ON-HAND AT TIME OF DETAILING. COORDINATE WITH FINAL DRAWINGS FROM SUPPLIER.
 5. ALL EQUIPMENT DIMENSIONS AND LOCATIONS TO BE VERIFIED WITH PULPPOWER DWGS.



milwaukee 333 East Chicago Street
Milwaukee, Wisconsin 53202
tel 414 271 5350 fax 414 271 7794

madison 222 West Washington Ave, Suite 650
Madison, Wisconsin 53703
tel 608 442 5350 fax 608 442 6680

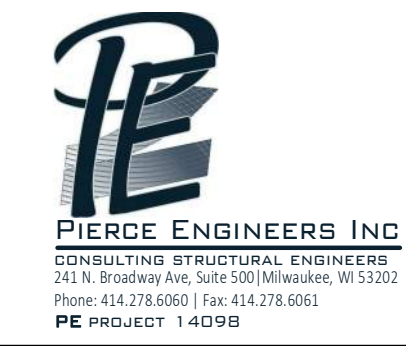
epstein uhen : architects

KEY PLAN

ISSUANCE AND REVISIONS

BID PACKAGE 5

#	DATE	DESCRIPTION
1	11/21/2014	BP3 ADDENDUM 01
6	4/17/2015	BP5 ADDENDUM 01
7	5/12/2015	BP5 ADDENDUM 02



PIERCE ENGINEERS INC
CONSULTING STRUCTURAL ENGINEERS
121 N. Broadway Ave., Suite 1000, Madison, WI 53702
Phone: 608.278.6000 | Fax: 608.278.6664
PE #100247 - 1/4/09

PROJECT INFORMATION

ULINE W2 DISTRIBUTION CENTER

13305 104th Street,
Pleasant Prairie, WI 53158



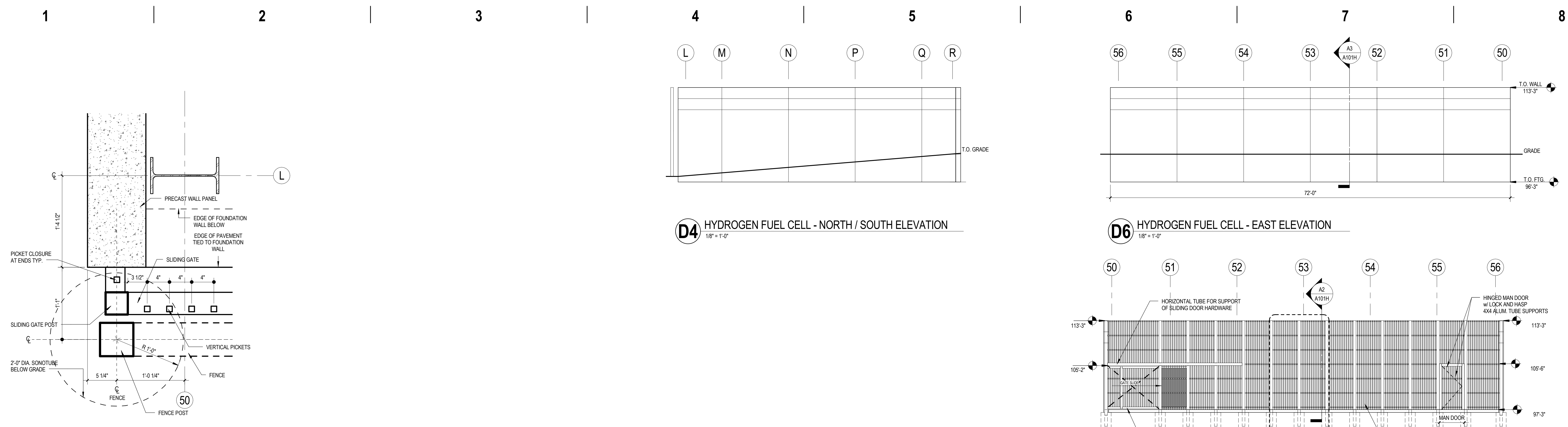
SHEET INFORMATION

DATE: 12/15/2014
PROJECT NUMBER: 213394-01
PROJECT MANAGER: PEK

HYDROGEN FUEL CELL STATION

S101H

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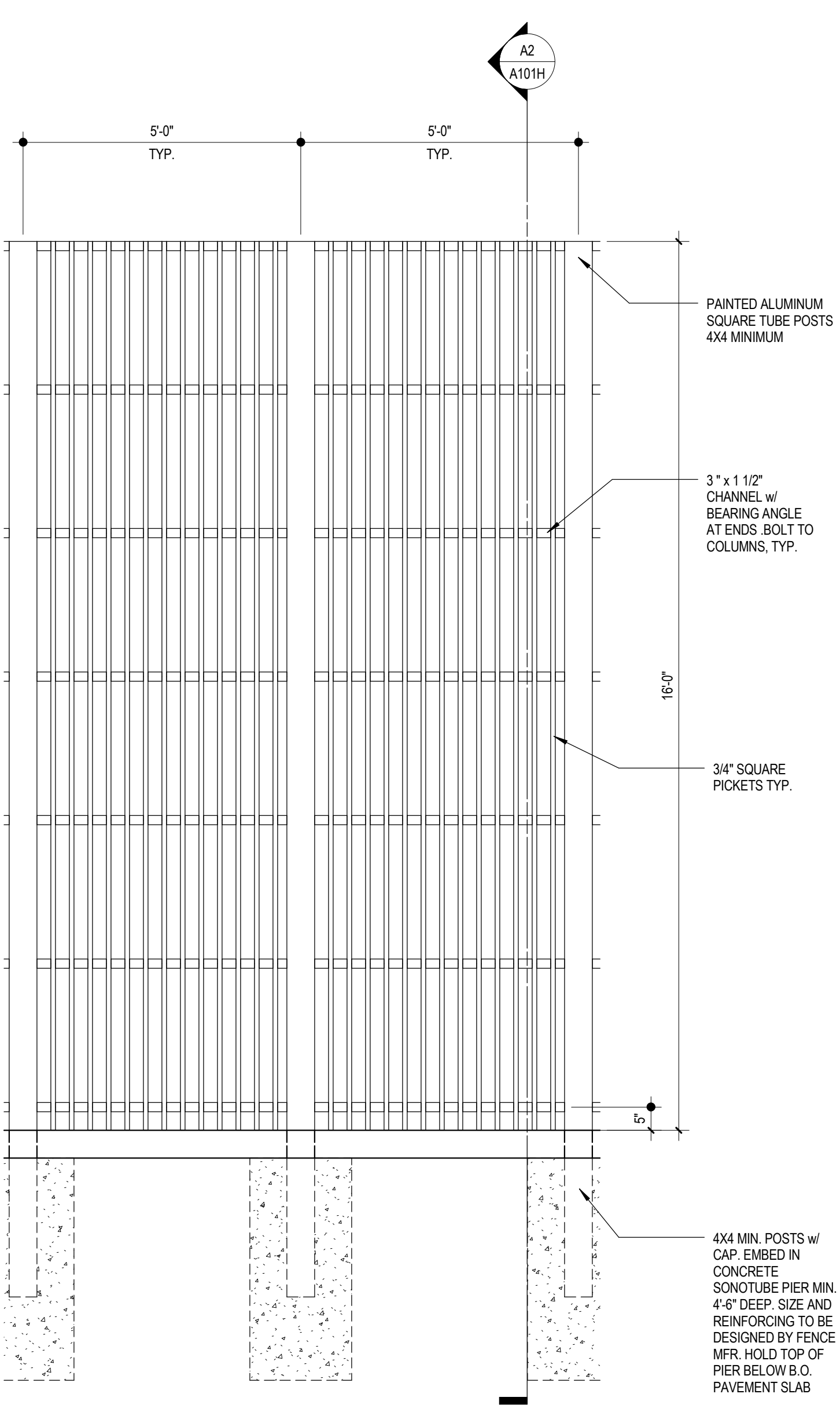


C1 ENLARGED GATE PLAN DETAIL
1 1/2" = 1'-0"

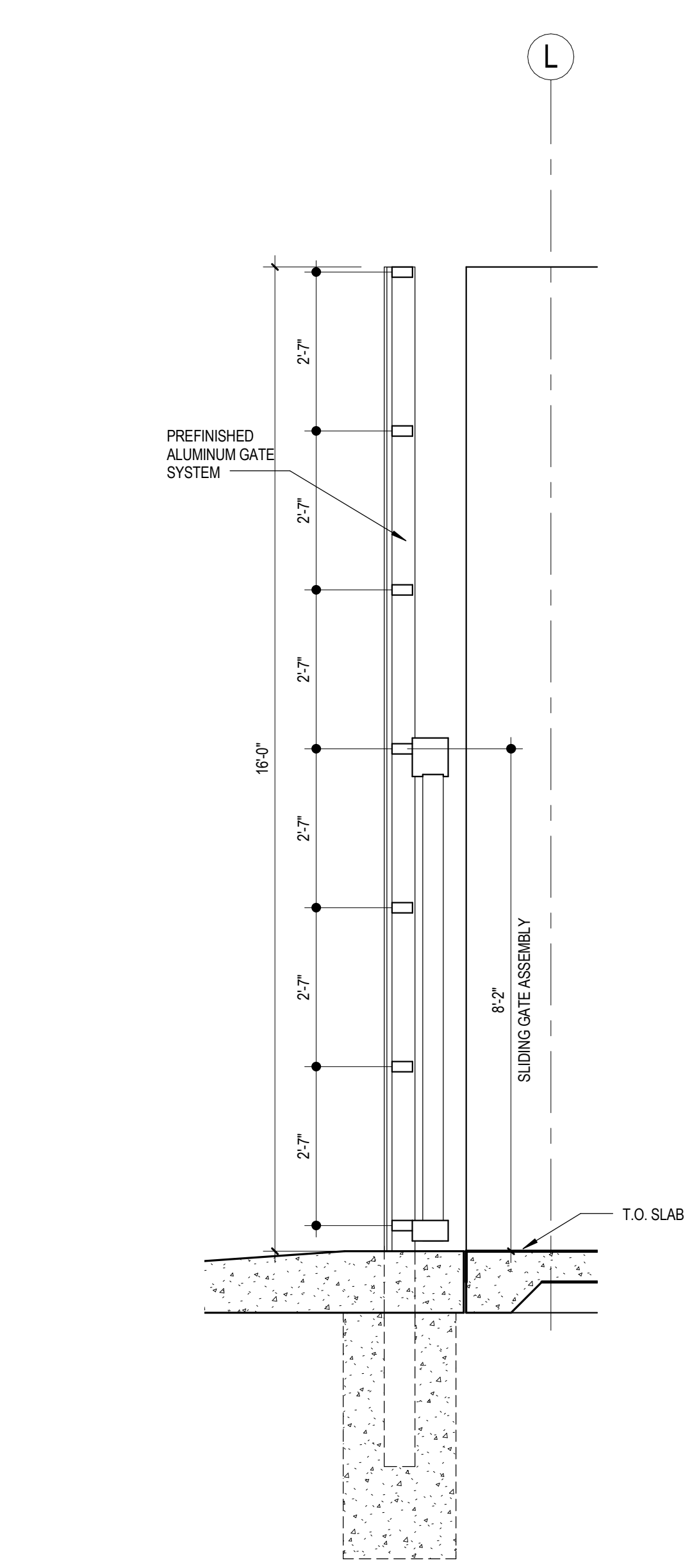
D4 HYDROGEN FUEL CELL - NORTH / SOUTH ELEVATION
1/8" = 1'-0"

D6 HYDROGEN FUEL CELL - EAST ELEVATION
1/8" = 1'-0"

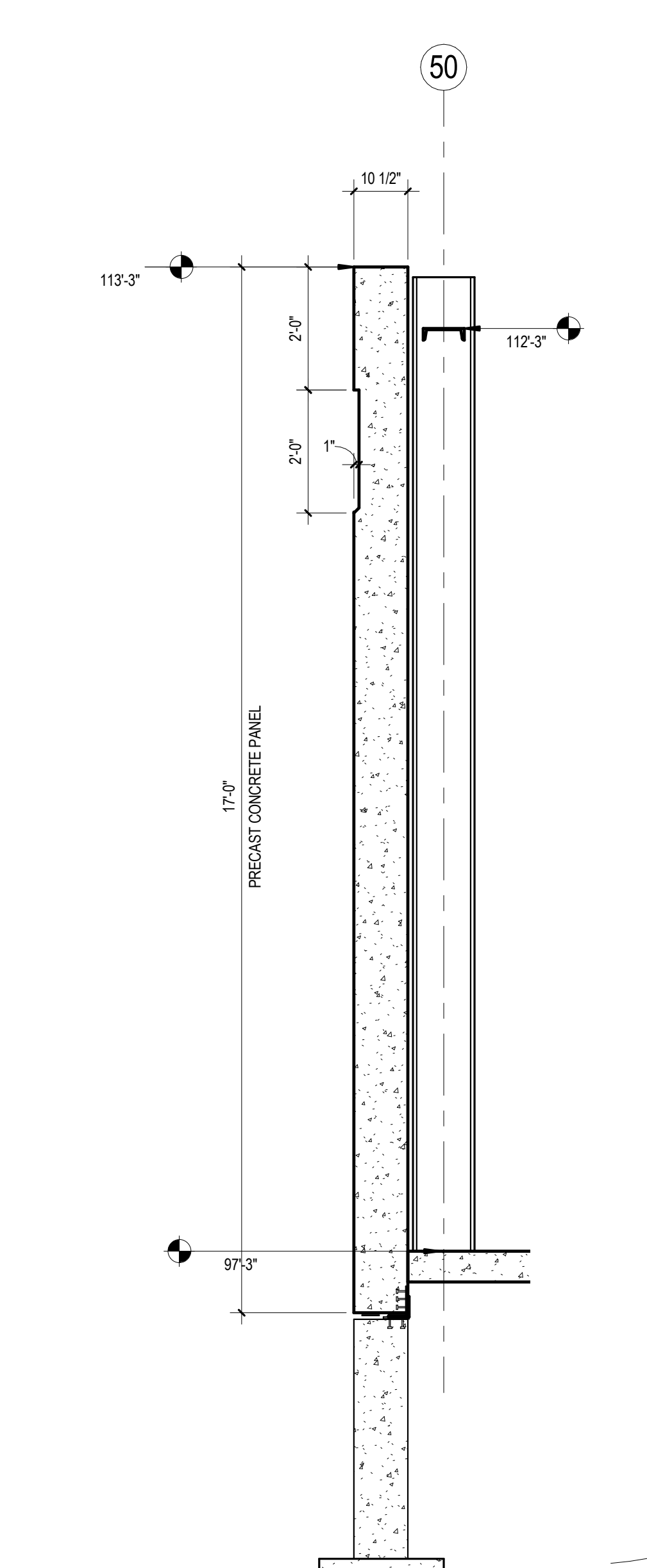
C6 HYDROGEN FUEL CELL - WEST ELEVATION
1/8" = 1'-0"



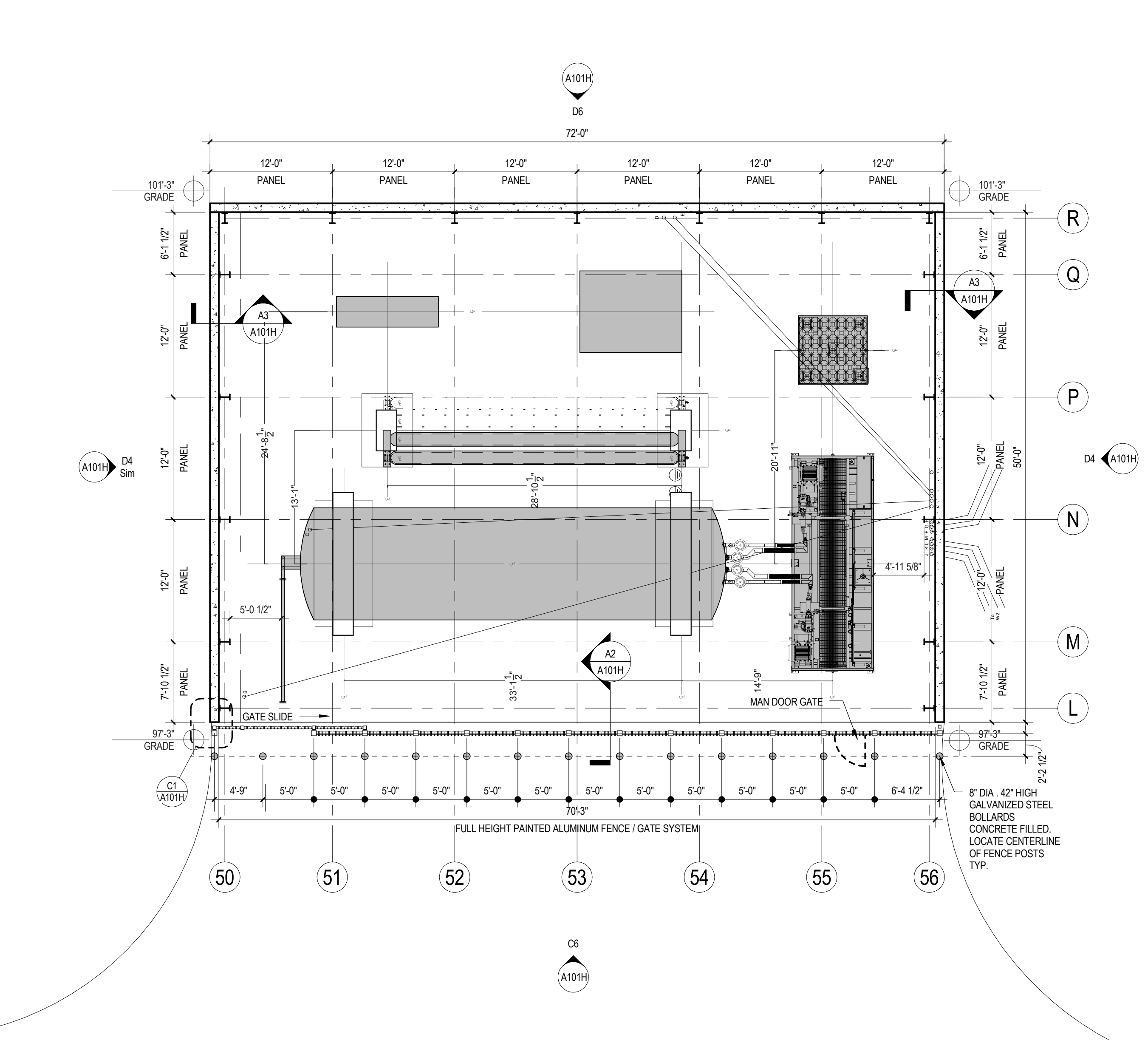
A1 ENLARGED FENCE ELEVATION - TYP.
1/2" = 1'-0"



A2 WALL SECTION - HYDROGEN FUEL CELL GATE
1/2" = 1'-0"



A3 WALL SECTION - PRECAST WALL PANELS
1/2" = 1'-0"



A5 HYDROGEN FUEL CELL STATION PLAN
1/8" = 1'-0"



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madison 222 West Washington Ave, Suite 650
Madison, Wisconsin 53703
tel 608 442 5350 fax 608 442 6680

KEY PLAN

ISSUANCE AND REVISIONS

BID PACKAGE 5

#	DATE	DESCRIPTION
1	04/17/2015	BP5 ADDENDUM 01

PROJECT INFORMATION

ULINE W2 DISTRIBUTION CENTER

13305 104th Street,
Pleasant Prairie, WI 53158



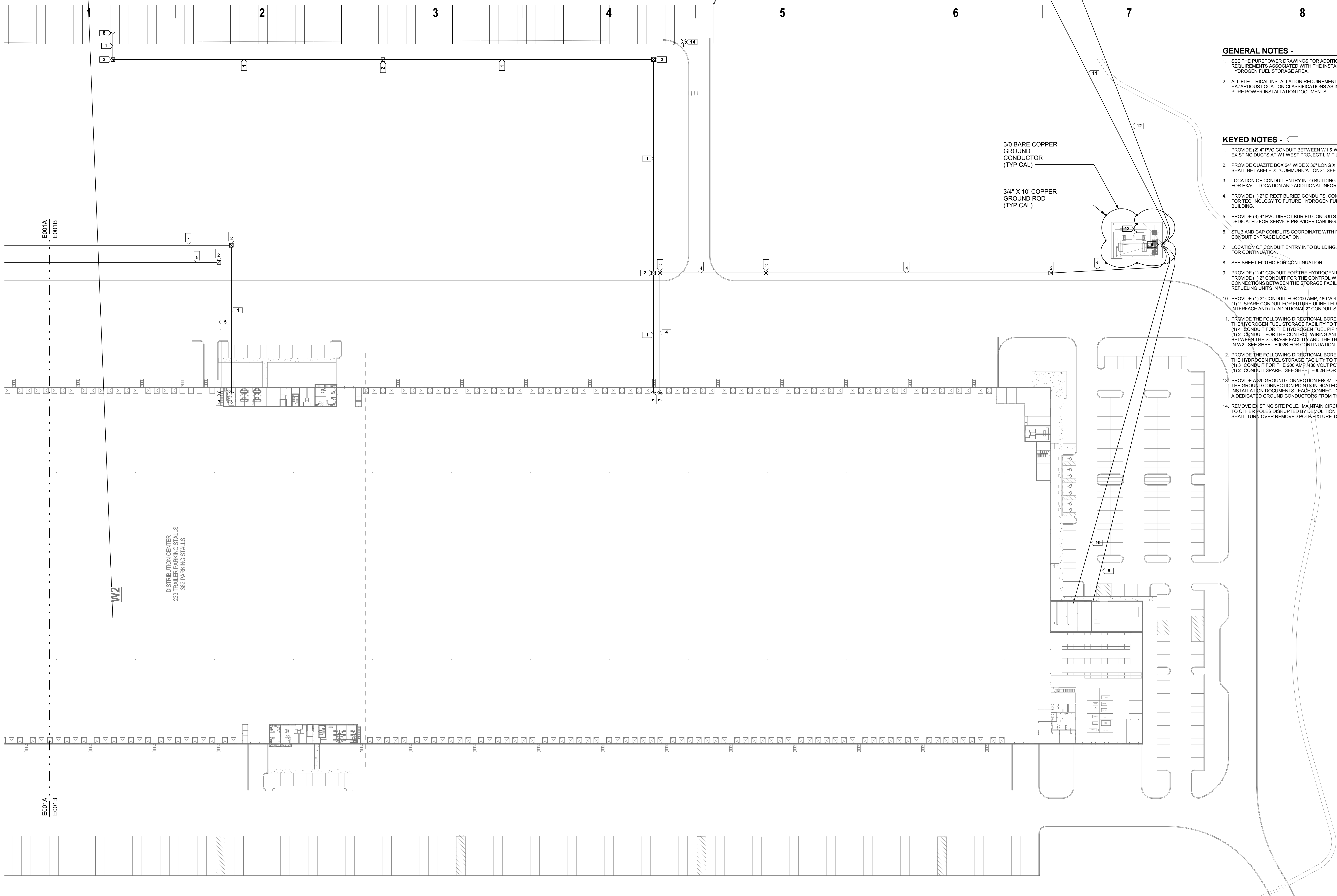
SHEET INFORMATION

DATE: 03/27/2015
PROJECT NUMBER: 213394-01
PROJECT MANAGER: PEK

HYDROGEN FUEL CELL STATION

A101H

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- GENERAL NOTES -**
- SEE THE PUREPOWER DRAWINGS FOR ADDITIONAL ELECTRICAL REQUIREMENTS ASSOCIATED WITH THE INSTALLATION OF THE HYDROGEN FUEL STORAGE AREA.
 - ALL ELECTRICAL INSTALLATION REQUIREMENTS SHALL MEET THE HAZARDOUS LOCATION CLASSIFICATIONS AS INDICATED IN THE PURE POWER INSTALLATION DOCUMENTS.

- KEYED NOTES -**
- PROVIDE (2) 4" PVC CONDUIT BETWEEN W1 & W2. INTERCEPT EXISTING DUCTS AT W1 WEST PROJECT LIMIT LINE.
 - PROVIDE QUAZITE BOX 24" WIDE X 36" LONG X 30" DEEP. COVER SHALL BE LABELED: "COMMUNICATIONS". SEE DETAIL 1E510.
 - LOCATION OF CONDUIT ENTRY INTO BUILDING. SEE SHEET E101AT FOR EXACT LOCATION AND ADDITIONAL INFORMATION.
 - PROVIDE (1) 2" DIRECT BURIED CONDUITS. CONDUITS DEDICATED FOR TECHNOLOGY TO FUTURE HYDROGEN FUEL CELL EQUIPMENT BUILDING.
 - PROVIDE (3) 4" PVC DIRECT BURIED CONDUITS. CONDUITS DEDICATED FOR SERVICE PROVIDER CABLING.
 - STUB AND CAP CONDUITS COORDINATE WITH PURE POWER CONDUIT ENTRANCE LOCATION.
 - LOCATION OF CONDUIT ENTRY INTO BUILDING. SEE SHEET E101BT FOR CONTINUATION.
 - SEE SHEET E001HQ FOR CONTINUATION.
 - PROVIDE (1) 4" CONDUIT FOR THE HYDROGEN FUEL PIPING. PROVIDE (1) 2" CONDUIT FOR THE CONTROL WIRING AND AIR CONNECTIONS BETWEEN THE STORAGE FACILITY AND THE REFUELING UNITS IN W2.
 - PROVIDE (1) 3" CONDUIT FOR 200 AMP, 480 VOLT POWER SUPPLY. (1) 2" SPARE CONDUIT FOR FUTURE ULINE TELECOMMUNICATIONS INTERFACE AND (1) ADDITIONAL 2" CONDUIT SPARE.
 - PROVIDE THE FOLLOWING DIRECTIONAL BORED CONDUITS FROM THE HYDROGEN FUEL STORAGE FACILITY TO THE W1 BUILDING: (1) 4" CONDUIT FOR THE HYDROGEN FUEL PIPING. (1) 2" CONDUIT FOR THE CONTROL WIRING AND AIR CONNECTIONS BETWEEN THE STORAGE FACILITY AND THE THE REFUELING UNITS IN W2. SEE SHEET E002B FOR CONTINUATION.
 - PROVIDE THE FOLLOWING DIRECTIONAL BORED CONDUITS FROM THE HYDROGEN FUEL STORAGE FACILITY TO THE W1 BUILDING: (1) 4" CONDUIT FOR THE 200 AMP, 480 VOLT POWER SUPPLY. (1) 2" CONDUIT SPARE. SEE SHEET E002B FOR CONTINUATION.
 - PROVIDE A 3/0 GROUND CONNECTION FROM THE GROUND GRID TO THE GROUND CONNECTION POINTS INDICATED IN THE PURE POWER INSTALLATION DOCUMENTS. EACH CONNECTION POINT SHALL HAVE A DEDICATED GROUND CONDUCTORS FROM THE GROUND RING.
 - REMOVE EXISTING SITE POLE. MAINTAIN CIRCUIT AND CONTROLS TO OTHER POLES DISRUPTED BY DEMOLITION OF THIS POLE. E.C. SHALL TURN OVER REMOVED POLE/FIXTURE TO OWNER.

1 PARTIAL SITE PLAN B
E001B 1" = 50'-0"
NORTH

KEY PLAN

ISSUANCE AND REVISIONS

BID PACKAGE 5

#	DATE	DESCRIPTION
5	5/1/15	Bid Package 5 Addendum #2

PROJECT INFORMATION

ULINE W2 DISTRIBUTION CENTER

13305 104th Street,
Pleasant Prairie, WI 53158



SHEET INFORMATION

DATE: 12/15/2014
PROJECT NUMBER: 213394-01
PROJECT MANAGER: PEK

PARTIAL SITE PLAN - ELECTRICAL

E001B



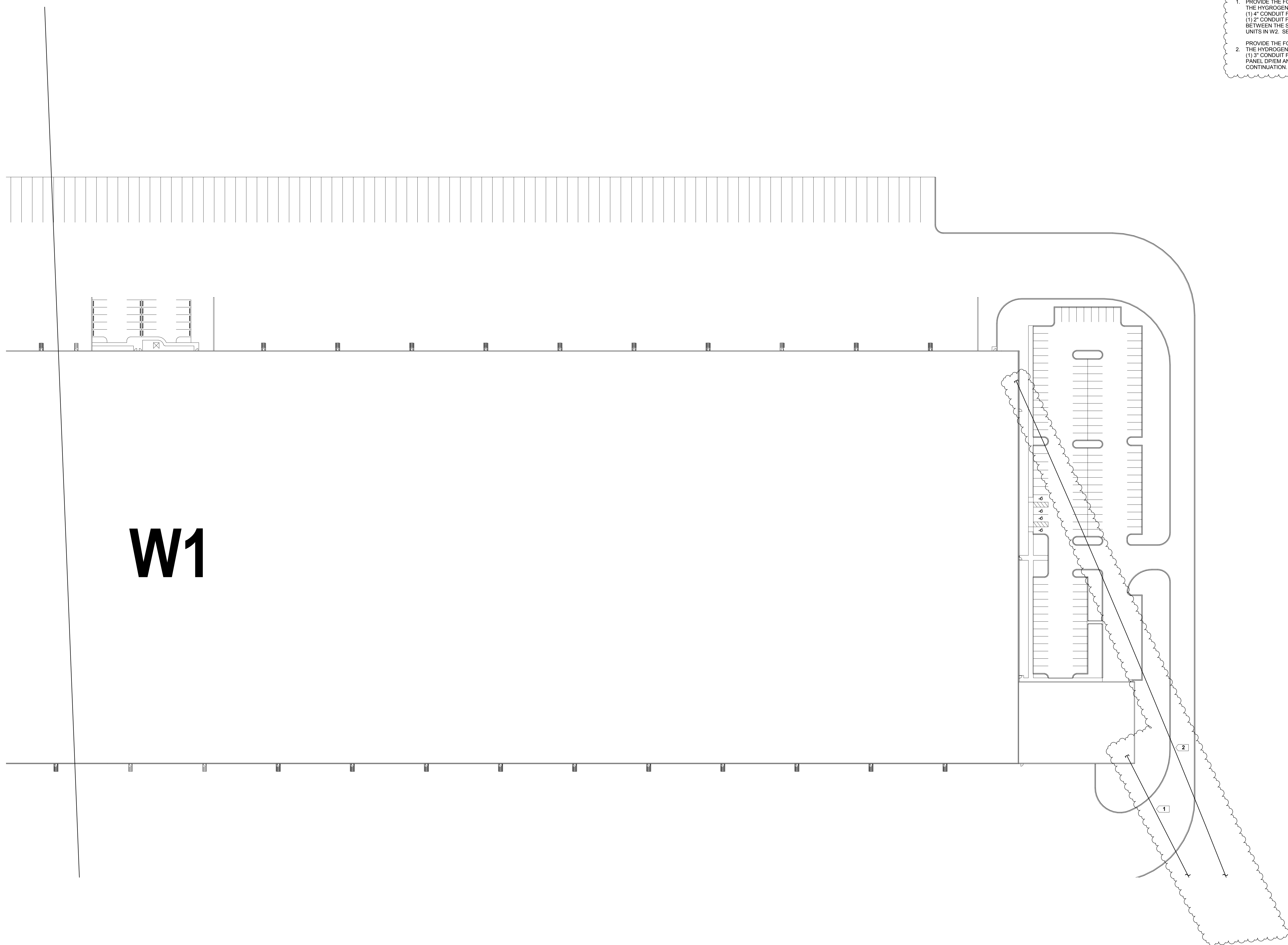
eppstein uhen : architects

milwaukee 333 East Chicago Street
Milwaukee, Wisconsin 53202
tel 414 271 5350 fax 414 271 7794

madison 222 West Washington Ave, Suite 650
Madison, Wisconsin 53703
tel 608 442 5350 fax 608 442 6680

KEYED NOTES -

1. PROVIDE THE FOLLOWING DIRECTIONAL BORED CONDUITS FROM THE HYDROGEN FUEL STORAGE FACILITY TO THE W1 BUILDING:
 (1) 4" CONDUIT FOR THE HYDROGEN FUEL PIPING.
 (1) 2" CONDUIT FOR THE CONTROL WIRING AND AIR CONNECTIONS BETWEEN THE STORAGE FACILITY AND THE REFUELING UNITS IN W2. SEE SHEET E001B FOR CONTINUATION.
2. PROVIDE THE FOLLOWING DIRECTIONAL BORED CONDUITS FROM THE HYDROGEN FUEL STORAGE FACILITY TO THE W1 BUILDING:
 (1) 3" CONDUIT FOR THE 200 AMP, 480 VOLT POWER SUPPLY FROM PANEL, UPIEM AND (1) 2" CONDUIT SPARE. SEE SHEET E001B FOR CONTINUATION.



W1

1 SITE PLAN - W1 - B
 E002B 1" = 50'-0"



eppstein uhen : architects

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 Milwaukee, Wisconsin 53202
 tel 414 271 5350 fax 414 271 7794

madison 222 West Washington Ave, Suite 650
 Madison, Wisconsin 53703
 tel 608 442 5350 fax 608 442 6680

KEY PLAN

ISSUANCE AND REVISIONS

BID PACKAGE 5

#	DATE	DESCRIPTION
5	5/1/15	Bid Package 5 Addendum #2

PROJECT INFORMATION

ULINE W2 DISTRIBUTION CENTER

13305 104th Street,
 Pleasant Prairie, WI 53158

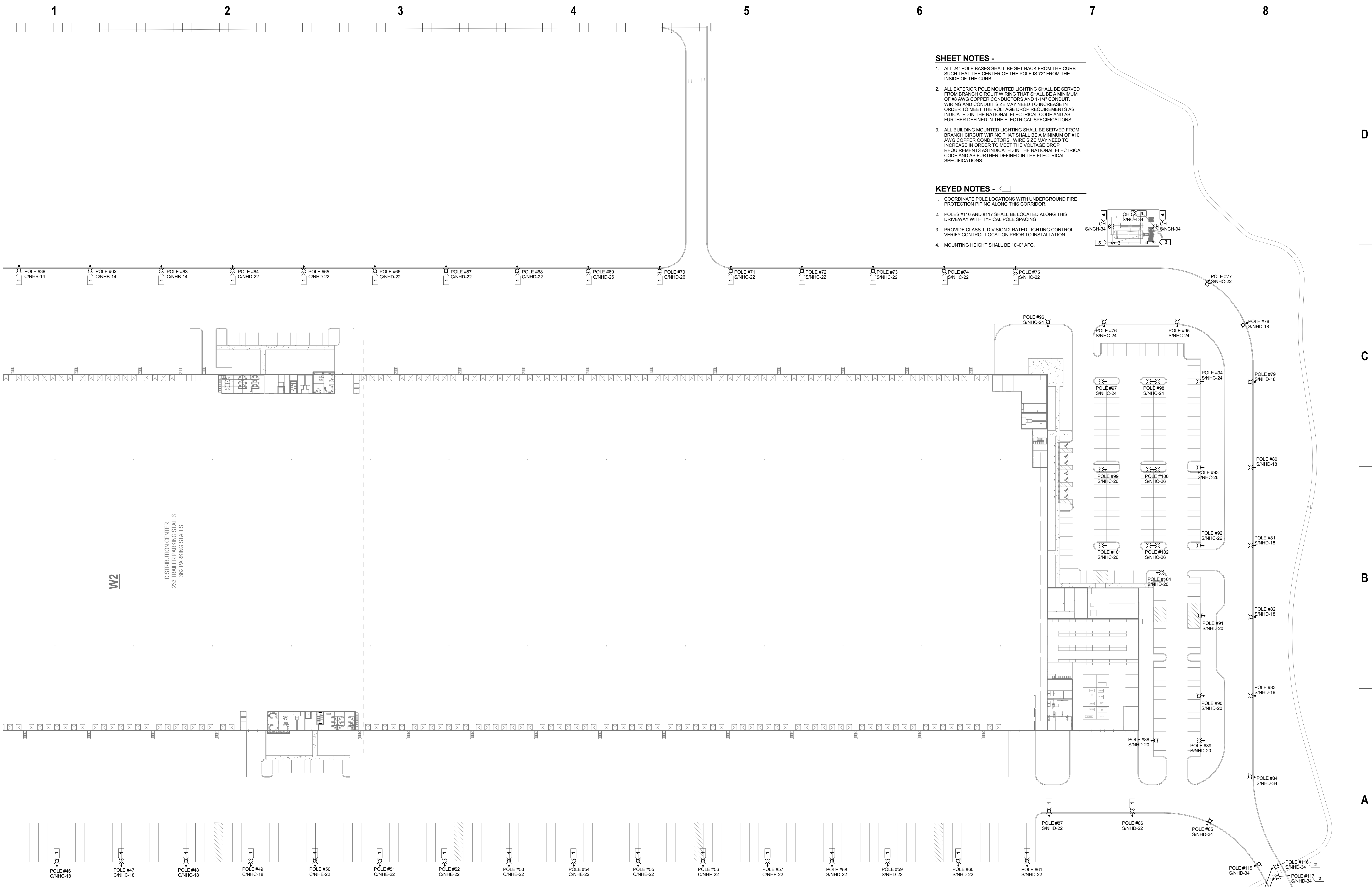


SHEET INFORMATION

DATE: 12/15/2014
 PROJECT NUMBER: 213394-01
 PROJECT MANAGER: PEK

**PARTIAL W1 SITE
 PLAN B -
 ELECTRICAL**

E002B

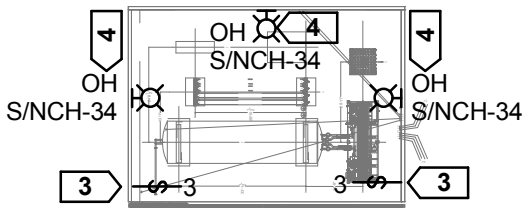


SHEET NOTES -

1. ALL 24" POLE BASES SHALL BE SET BACK FROM THE CURB SUCH THAT THE CENTER OF THE POLE IS 72" FROM THE INSIDE OF THE CURB.
2. ALL EXTERIOR POLE MOUNTED LIGHTING SHALL BE SERVED FROM BRANCH CIRCUIT WIRING THAT SHALL BE A MINIMUM OF #8 AWG COPPER CONDUCTORS AND 1-1/4" CONDUIT WIRING AND CONDUIT SIZE MAY NEED TO INCREASE IN ORDER TO MEET THE VOLTAGE DROP REQUIREMENTS AS INDICATED IN THE NATIONAL ELECTRICAL CODE AND AS FURTHER DEFINED IN THE ELECTRICAL SPECIFICATIONS.
3. ALL BUILDING MOUNTED LIGHTING SHALL BE SERVED FROM BRANCH CIRCUIT WIRING THAT SHALL BE A MINIMUM OF #10 AWG COPPER CONDUCTORS. WIRE SIZE MAY NEED TO INCREASE IN ORDER TO MEET THE VOLTAGE DROP REQUIREMENTS AS INDICATED IN THE NATIONAL ELECTRICAL CODE AND AS FURTHER DEFINED IN THE ELECTRICAL SPECIFICATIONS.

KEYED NOTES -

1. COORDINATE POLE LOCATIONS WITH UNDERGROUND FIRE PROTECTION PIPING ALONG THIS CORRIDOR.
2. POLES #116 AND #117 SHALL BE LOCATED ALONG THIS DRIVEWAY WITH TYPICAL POLE SPACING.
3. PROVIDE CLASS 1, DIVISION 2 RATED LIGHTING CONTROL. VERIFY CONTROL LOCATION PRIOR TO INSTALLATION.
4. MOUNTING HEIGHT SHALL BE 10'-0" AFG.



1 SITE PLAN B
E001BL 1" = 50'-0" NORTH



epstein uhen : architects

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Milwaukee, Wisconsin 53202
tel 414 271 5350 fax 414 271 7794

madison 222 West Washington Ave, Suite 650
Madison, Wisconsin 53703
tel 608 442 5350 fax 608 442 6680

KEY PLAN

ISSUANCE AND REVISIONS

BID PACKAGE 5

#	DATE	DESCRIPTION
1	1/07/15	Addendum #1
2	1/16/15	Addendum #2
3	3/27/15	Bid Package 5
5	5/1/15	Bid Package 5 Addendum #2

PROJECT INFORMATION

ULINE W2 DISTRIBUTION CENTER

13305 104th Street,
Pleasant Prairie, WI 53158



SHEET INFORMATION

DATE: 12/15/2014 PARTIAL SITE LIGHTING
PROJECT NUMBER: 213394-01
PROJECT MANAGER: PEK

E001BL

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ULINE FACILITY, PLEASANT PRAIRIE, WI

ULINE FACILITY, PLEASANT PRAIRIE, WI



SHEET INDEX

- TS 001 - Cover Sheet
- TS 002 - Project Overview

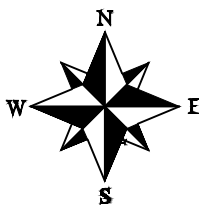
- A-101 - Site Layout
- A-201 - Outdoor Equipment Layout
- A-202 - Outdoor Equipment Security
- A-203 - Outdoor Equipment Pad Setbacks
- A-204 - Outdoor Equipment Foundation Layout
- A-205 - Outdoor Equipment Weight Details
- A-301 - Indoor Dispenser Layout
- A-302 - Indoor Dispenser Elevation

- E-201 - Outdoor Equipment Underground Conduits and Grounding
- E-202 - Outdoor Equipment Electrical Classification
- E-301 - Indoor Dispenser Electrical Schedule [and Mechanical Utilities]
- E-302 - Indoor Dispenser Electrical Hazardous Location

- M-301 - Dispenser Crash protection Detail
- M-302 - Dispenser Cable Tray Detail

- S- 301 - Safety around dispensing

VICINITY MAP



PROJECT DESCRIPTION

Plug Power will be providing to ULINE with hydrogen supply, storage and compression system to supply GenDrive hydrogen fuel cells in both existing warehouse and additional warehouse [W1/W2]. In addition, Plug Power will provide:

- 4 Hydrogen dispensers at 350 Bar (1 Currently deployed)
- 22 Class 1 for Sit Down 36V
- 39 Class 2 for Stock picker 24V
- 95 Class 2 for Stand up reach 36V
- 20 Class 2 for stockpicker 36V
- 7 Class 3 for Jetski 24V
- All required maintenance on the aforementioned equipment for the project duration

Project Start Date is April 1st, 2015
 Project Completion Date for W1 is July 1st, 2015
 Project Completion Date for W2 is XX 2015

PROJECT TEAM AND KEY CONTACTS

System Provider:

Philippe Boisvert
 968 Albany Shaker Road,
 Latham, NY
 12110

Steven Delmonaco
 Director of Hydrogen Technologies
 518-817-6201
 philippe_boisvert@plugpower.com

Steven Delmonaco
 Project Engineer
 518-380-3296
 steven_delmonaco@plugpower.com

System Owner

ULINE
 Pleasant Prairie, Wisconsin

Randy Cypher
 Project Owner
 262-612-4200
 rcypher@uline.com

CODES & REGULATIONS

- NFPA 2, 2011 Edition
- NFPA 52, 2011 Edition
- NFPA 55, 2011 Edition
- CGA 5
- SAEJ2601
- ASME B31.12
- International Fire Code
- NEC, 2011 Edition

NO	REV	ZONE	CHANGE DESCRIPTION	DATE	APPROVED BY
				4/20/16	

UNLESS OTHERWISE SPECIFIED:
 DIMENSIONS ARE IN MILLIMETERS
 DIMENSIONS AND TOLERANCES IN ADDITION TO THOSE SHOWN
 UNLESS OTHERWISE SPECIFIED ARE IN INCHES
 ALL SURFACES UNLESS NOTED OTHERWISE

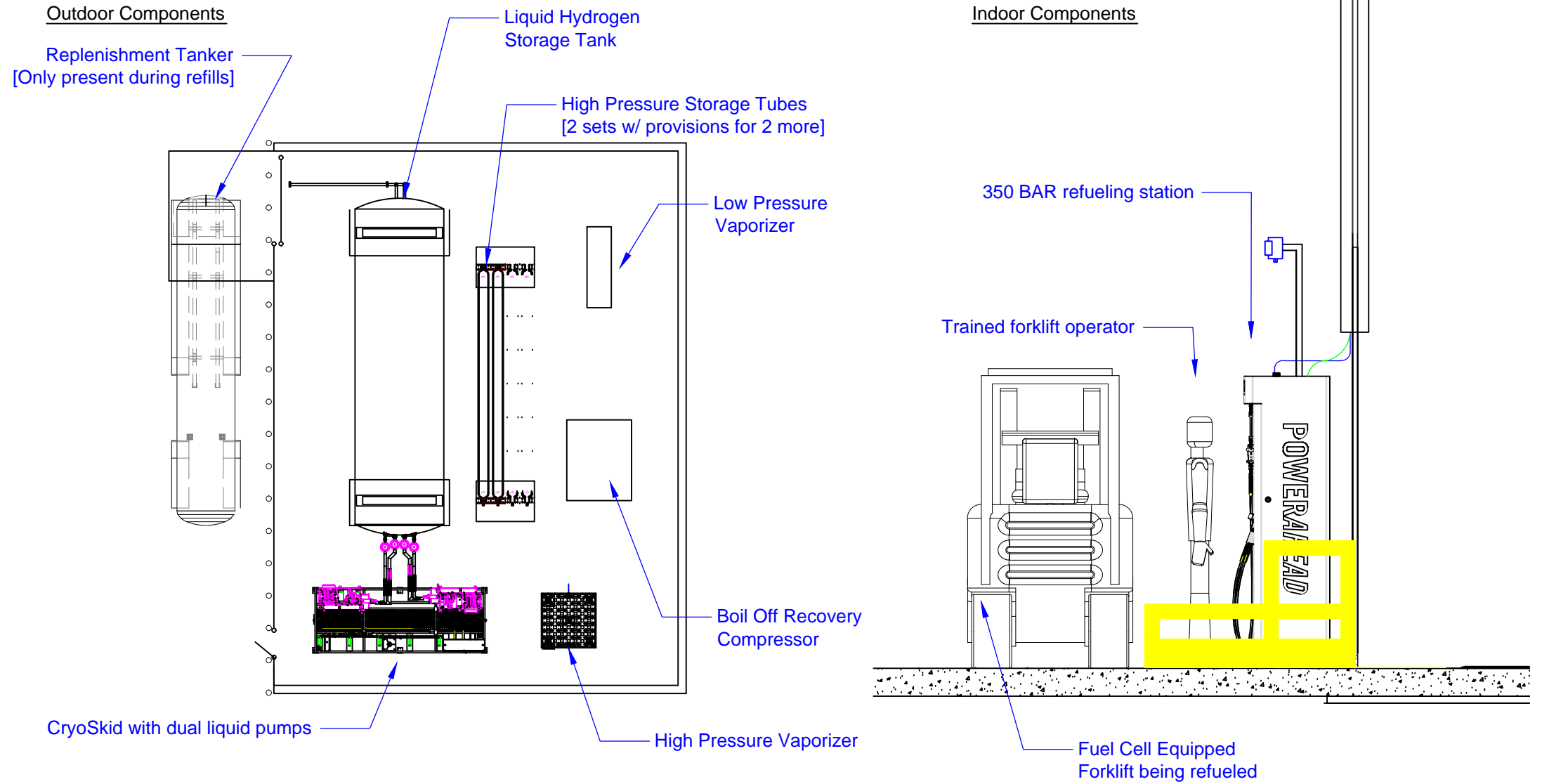
DESIGNED BY: Philippe Boisvert
 REVIEWED BY: 4/20/16

COVER SHEET

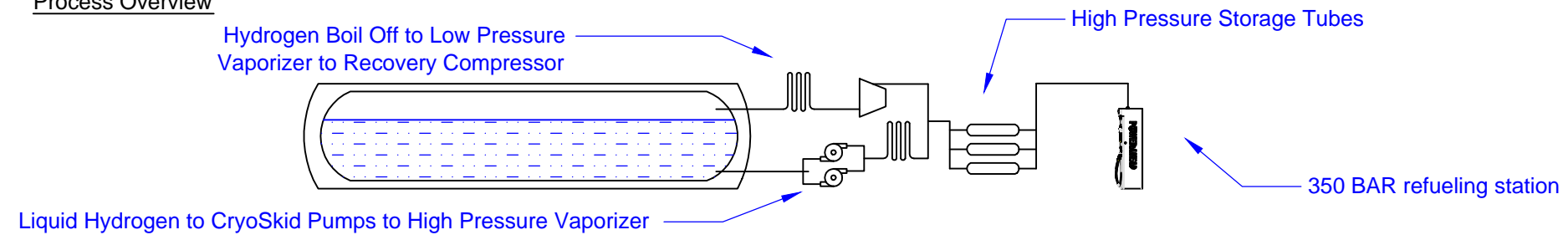
GenFuel
 Scale: TS-001

NOTES

- Project shall consist of the following equipment:
Indoor: (4) refueling stations operating at a pressure of 350 BAR
Outdoor: A Cryogenic hydrogen (liquid phase) storage tank, (2) liquid pumps, (1) boil off recovery compressor, and (2) Set of 3 hydrogen storage at high pressure (gaseous form).
- Total hydrogen stored on site shall be less than 10,000 lbs.
- No hydrogen shall be stored indoors, aside from the content of the fuel cell's on-board hydrogen tanks
- Liquid hydrogen will be fulfilled by Praxair's East Chicago, IL, plant and monitored remotely.
- Plug Power will own, monitor and maintain the outdoor storage and compression equipment and indoor refueling equipment for the duration of the project.
- GenDrive fuel cells will be provided and maintained by Plug Power, and operated by ULINE



Process Overview



COMMENTS

NO	REV	ZONE	CHANGE DESCRIPTION	DATE	APPROVED BY
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 DIMENSIONS AND TOLERANCES IN ADDITION TO THOSE SHOWN
 UNLESS OTHERWISE SPECIFIED ARE IN MILLIMETERS
 ALL SURFACES: Finish: 304

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888 ALBANY-SHAKER ROAD
 LATHAM, NY 12110 USA
 PHONE: 518.782.7700

Designed by: Philippe Bolevert
 4/20/16

Reviewed by: 4/20/16

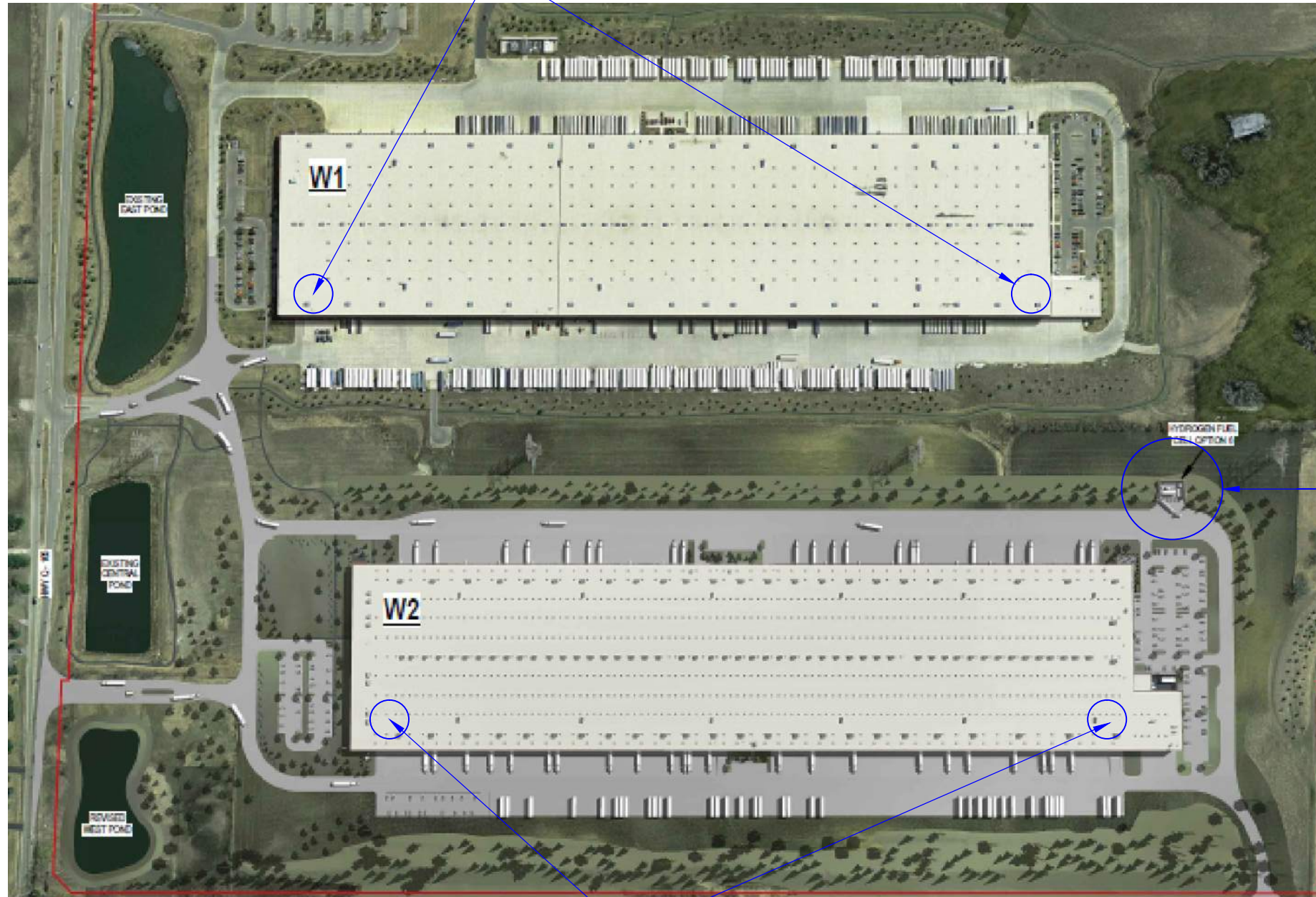
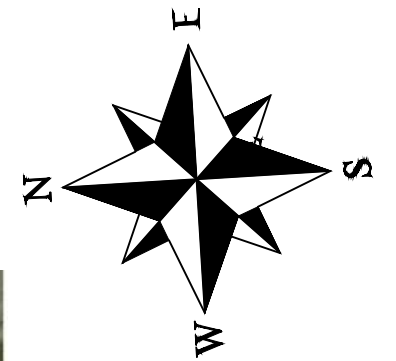
Project Overview

GenFuel
 Scale:

TS-002

NOTES

- A. All hydrogen compression and bulk storage to occur outdoors
- B. (2) dispensers to be located indoors in W1
- C. (2) dispensers to be located indoors in W2
- D. Utilities between the hydrogen compression/storage pad and the interior dispensers shall be run underground"



COMMENTS

NO	REV	ZONE	CHANGE DESCRIPTION	DATE	APPROVED BY
				4/20/16	

UNLESS OTHERWISE SPECIFIED:
 DIMENSIONS ARE IN MILLIMETERS
 DIMENSIONS AND TOLERANCES IN ADDITION TO THOSE SHOWN
 UNLESS OTHERWISE SPECIFIED ARE AS SHOWN
 ALL SURFACES: *See Job*
 DRAWING NUMBER: 15-A

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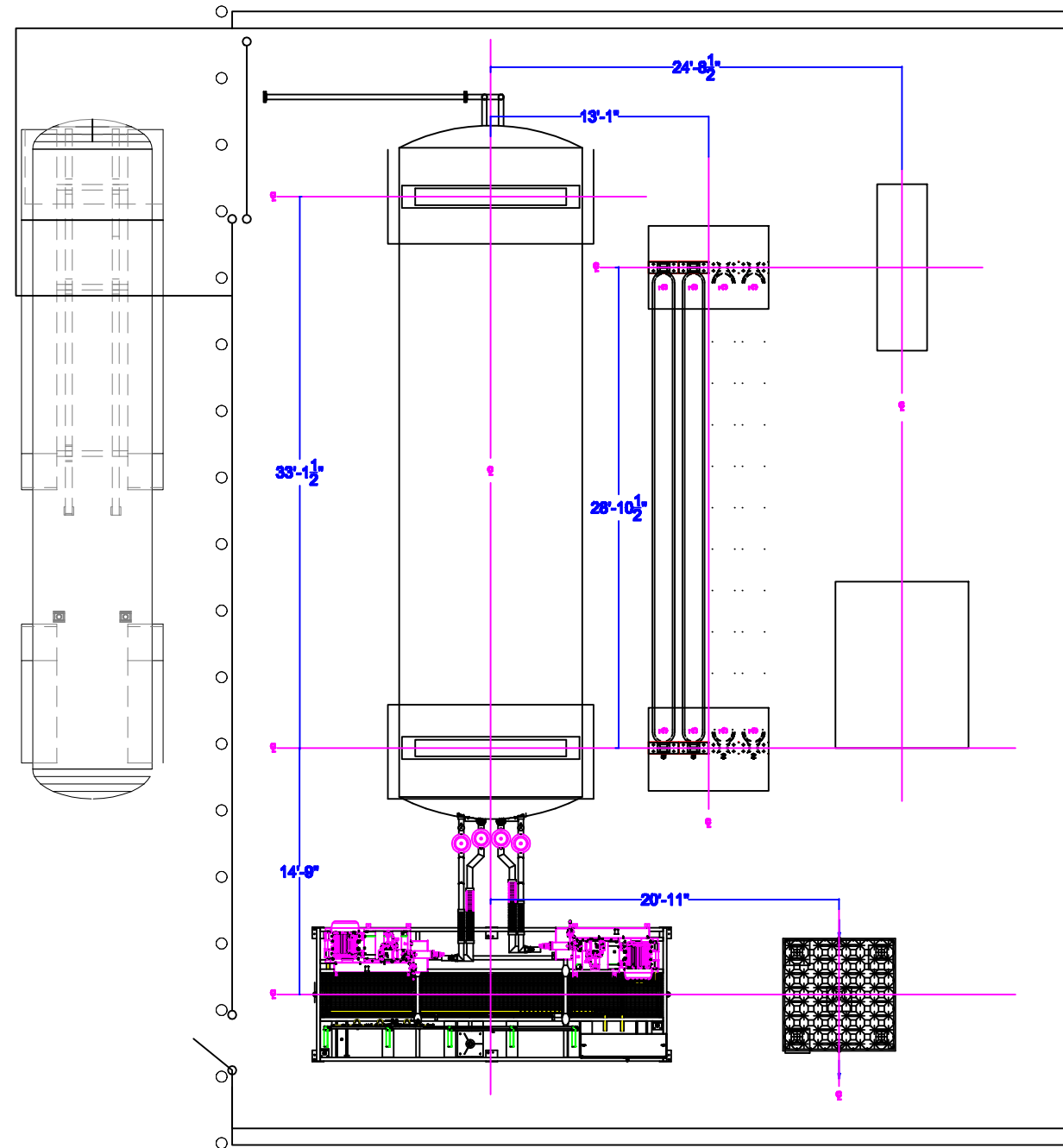
Designed by: Philippe Boivin
 4/20/16
 Reviewed by: 4/20/16

Outdoor Equipment Pad Layout

GenFuel
 Scale: A-101

NOTES

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COMMENTS

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NO	REV	DATE	DESCRIPTION	BY	DATE	APPROVED BY
		4/20/16				

UNLESS OTHERWISE SPECIFIED:
 DIMENSIONS ARE IN MILLIMETERS
 DIMENSIONS AND TOLERANCES IN ADDITION TO THOSE SHOWN
 UNLESS OTHERWISE SPECIFIED ARE AS SHOWN
 ALL SURFACES SHALL BE FINISHED
 DRAWING NUMBER: 15-A

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 PHONE: 518.782.7700

Designed by: Philippe Boivin
 4/20/16
 Reviewed by: 4/20/16
 Outdoor Equipment Pad Layout

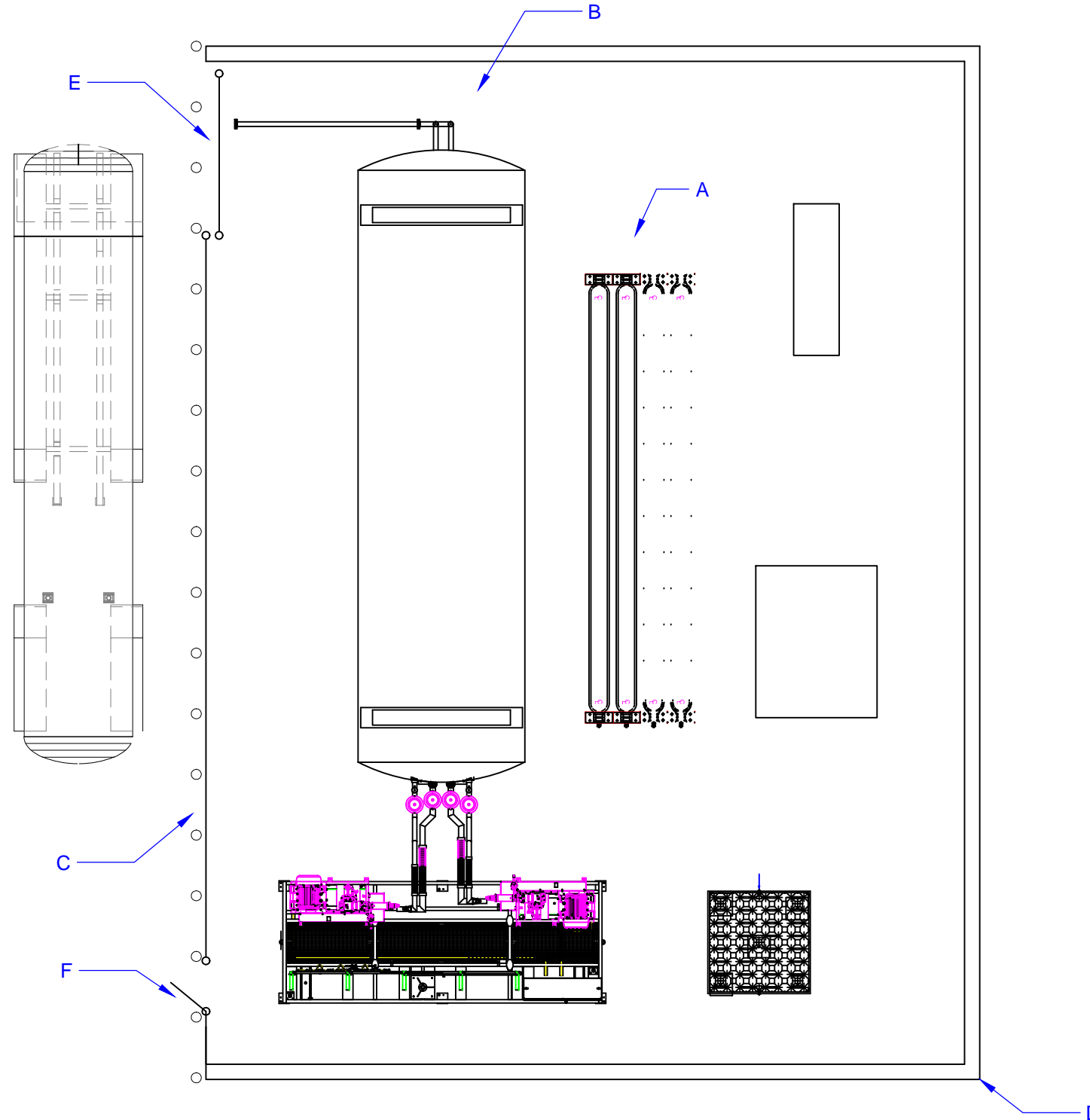
GenFuel
 Scale: A-201

NOTES

- A. All Equipment to be placed on concrete pads
- B. Concrete shall be placed under all cryogenic hydrogen lines (Asphalt is considered a combustible material and shall not be placed under cryogenic lines where liquid air is present). Area balance can be filled with crushed stone.
- C. Crash protection shall be provided on the sides exposed to traffic.
- D. Equipment pad shall be fenced and enclosed all around. 2 access gates shall be provided. All fence sections to be grounded. The delivery gate will be considered as an egress gate and will have to be opened when accessing the pad.
- E. Delivery gate to be at least 96" wide. Gate shall be on metal rollers to ensure proper grounding. Delivery gate shall be protected by crash protection
- F. Second egress gate to be at least 36" wide

ADDITIONAL NOTE:

ULINE will be enclosing the pad equipment on three sides. Plug Power designed the offset between the tank and the wall to meet NFPA 55 requirements based on the information provided that the walls would be 15 ft tall. If this information changes, a design review will need to be conducted to ensure compliance is maintained.



REV	ZONE	CHANGE DESCRIPTION	CHANGE DOC	DATE	APPROVED BY
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UNLESS OTHERWISE SPECIFIED:
 THIRD ANGLE PROJECTION
 DIMENSIONS ARE IN MILLIMETERS
 DIMENSIONS AND TOLERANCES IN ACCORDANCE WITH ASME Y14.5M-1994
 UNTOLERANCED DIMENSIONS ARE BASIC
 THE FOLLOWING TOLERANCE APPLIES:
 ALL SURFACES: ± 0.15
 BREAK SHARP CORNERS: 15 - 40

		968 ALBANY-SHAKER ROAD LATHAM, NY 12110 USA PHONE: 518.782.7700
Designed by: Philippe Boisvert	4/20/15	Outdoor Equipment Pad Security
Reviewed by:	4/XX/15	GenFuel
		Scale:
		A-202

NOTES

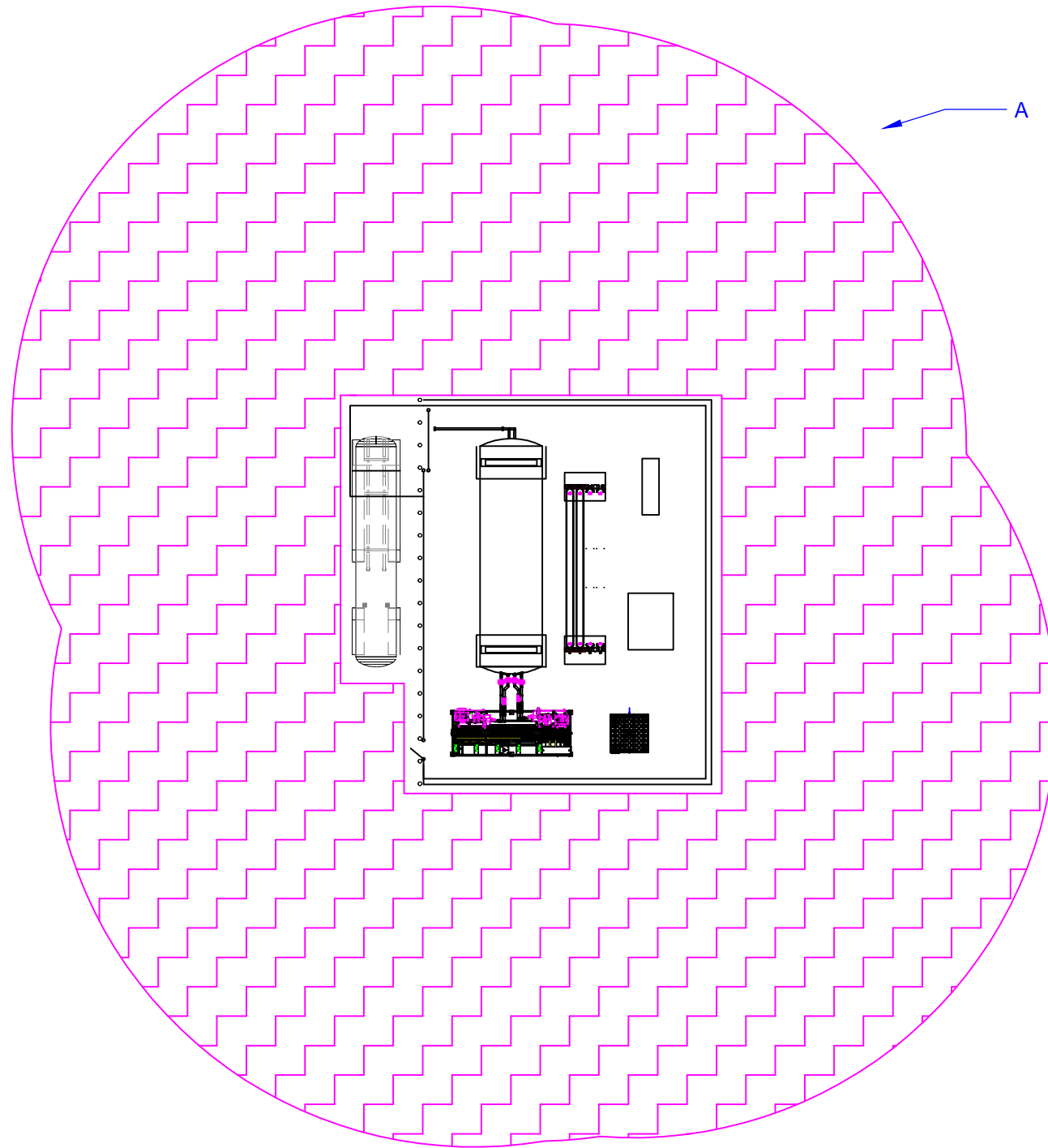
A. The minimum distance to exposures shall be of 75 ft as per NFPA 2. Exposures include but are not limited to

- Building (sprinklered)
- Wall Openings - Inoperable. If opening is operable or an air intake, minimum distance increases to 100ft
- Other flammable and combustible materials
- Sources of ignition
- Places of public assembly (75ft minimum)
- Property lines and/or easement

(Please refer to NFPA 2, 2011 Edition, table 8.3.2.4.5.1 for a complete list of the minimum distance from liquid hydrogen to exposures).

ADDITIONAL NOTE:

There is a power line located in the East of the proposed location. The distance between the equipment pad and the powerline is expected to be over 50ft, which complies with NFPA 2, 2011 edition.



COMMENTS

NO	REV	ZONE	CHANGE DESCRIPTION	DATE	APPROVED BY
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UNLESS OTHERWISE SPECIFIED:
 DIMENSIONS ARE IN MILLIMETERS
 DIMENSIONS AND TOLERANCES IN ADDITIONS WITH IEC 60335-1
 UNLESS OTHERWISE SPECIFIED:
 ALL SURFACES: **A B C**
 DRAWING NUMBER: **GenFuel**
 DRAWING CODE: **16-A**

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Designed by: **Philippe Boivert** 4/20/16
 Reviewed by: **4/20/16**

Outdoor Equipment Pad Setbacks

GenFuel
 Scale: **A-203**

NOTES

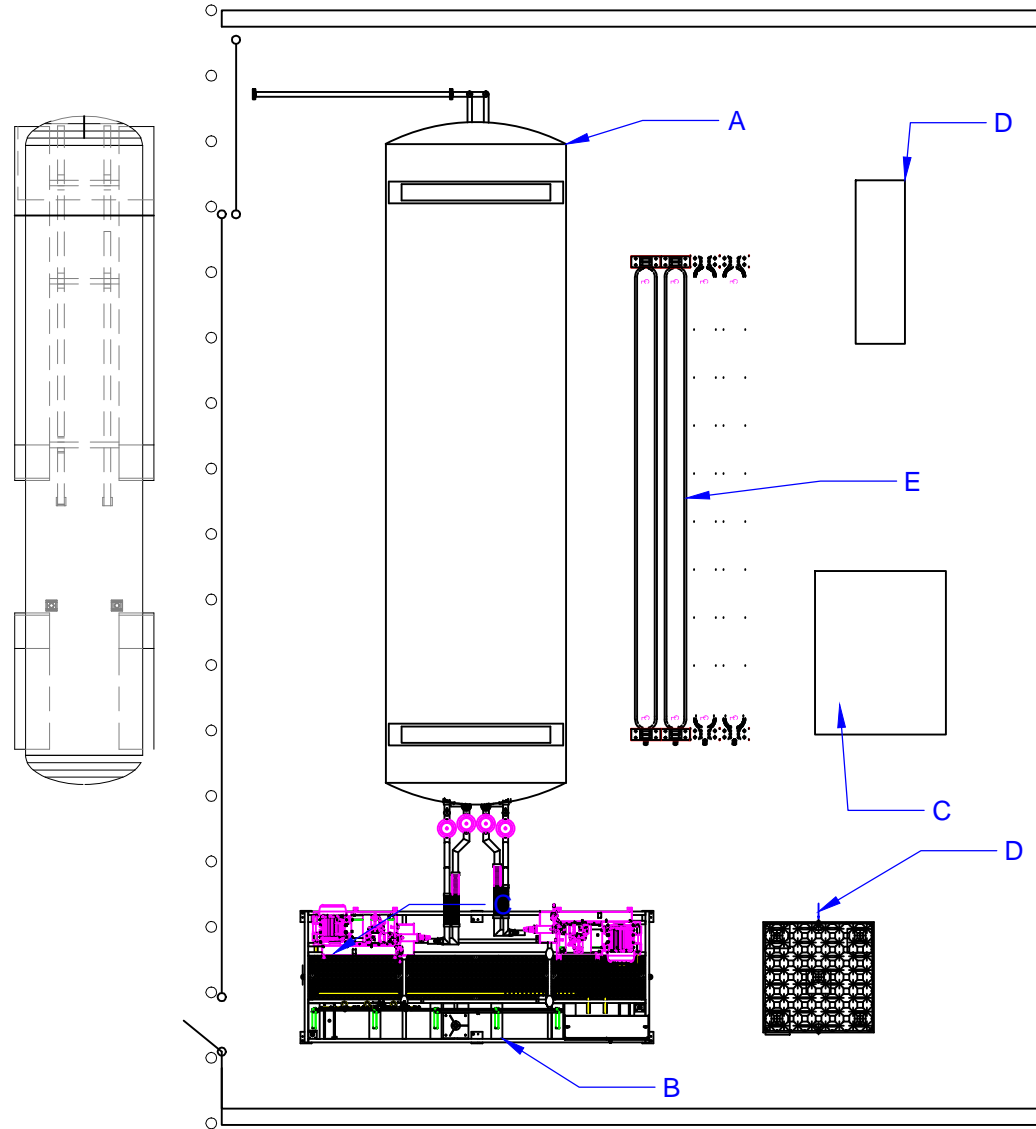
A. Liquid Hydrogen Tank [18,000 gallons]
Weight full of product: 87,000 lbs

B. CryoSkid
Weight: 12,000 lbs

C. Gas Compressor
Weight: 8,000 lbs

D. Vaporizer (2)
Weight: 2,000 lbs each

E. High Pressure Storage Tubes
Weight: 22,000 lbs for each set of 3



COMMENTS

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00				4/20/15	

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 THIRD ANGLE PROJECTION
 DIMENSIONS ARE IN MILLIMETERS
 DIMENSIONS AND TOLERANCES IN ACCORDANCE WITH ASME Y14.5M-1994
 UNTOLERANCED DIMENSIONS ARE BASIC
 THE FOLLOWING TOLERANCE APPLIES:
 ALL SURFACES: ± 0.15
 BREAK SHARP CORNERS: .15 - .40

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Designed by: Philippe Boisvert
 Reviewed by: 4/XX/15

Outdoor Equipment Weights

GenFuel
 Scale:

A-205

NOTES

Underground Conduit detail and size:

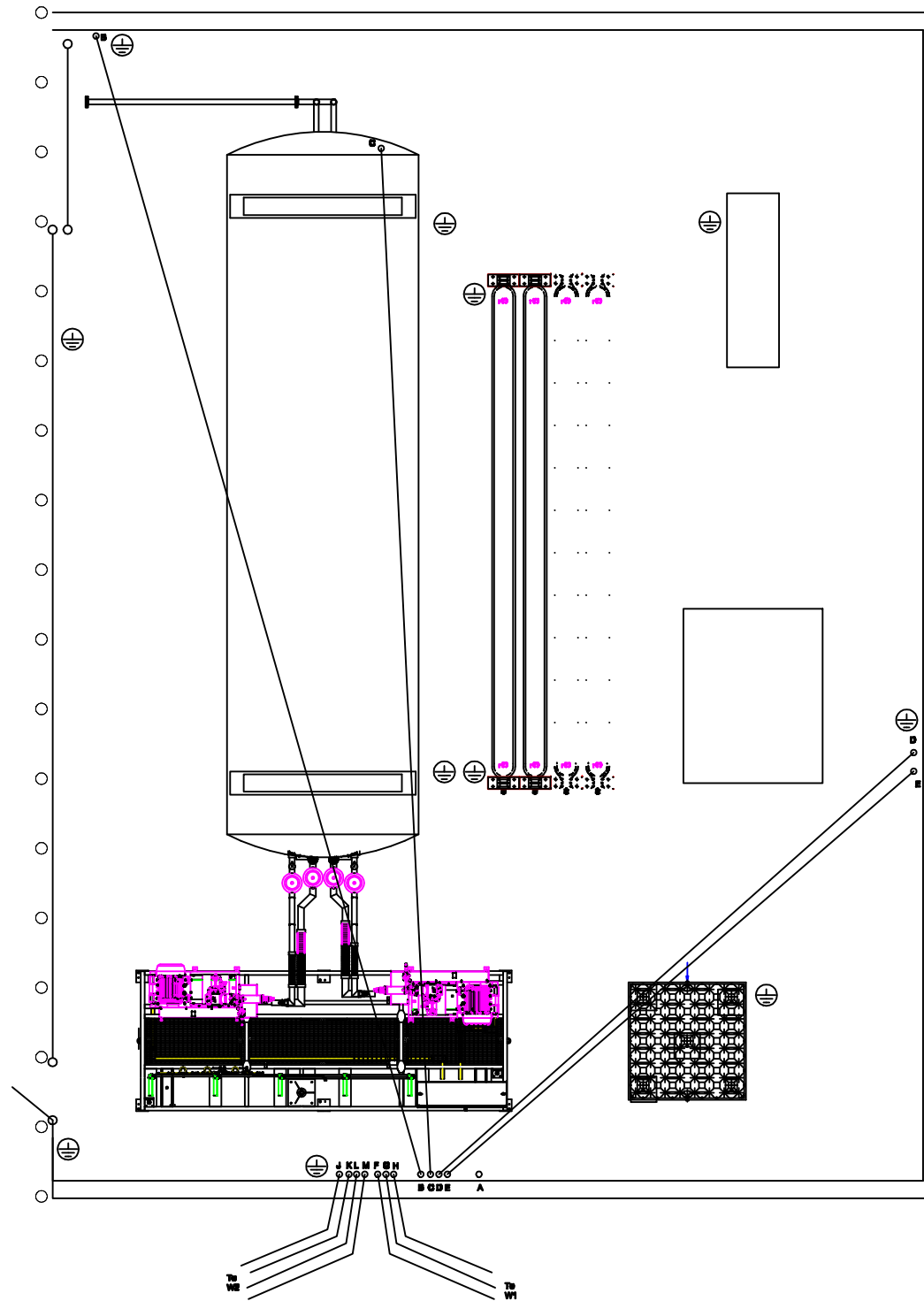
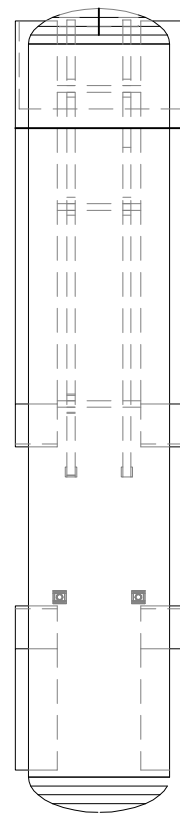
- A. Utility from Customer. 480V, 175A, 3 Phases. Size to be determined by licensed contractor.
- B. Delivery Gate Emergency Stop. 1" Conduit, 4 wires, 24 AWG gate, 24VDC
- C. Tank Telemetry & Tracker. 1" 1/2 Conduit, 3 wires 18 AWG, 115VAC
- D. 1" 1/2 Conduit with CAT-5 and 4x 24AWG wires for E-Stop.
- E. Conduit for 480V, 75 Amps, 3 Phases.
- F. 4" Conduit, long sweeps, for H2 lines, to W1
- G. 2" Conduit for air and fiber optic, to W1
- H. 2" Spare conduit for W1
- I. Ommitted for clarity
- J. 4" Conduit, long sweeps, for H2 lines, to W2
- K. 2" Conduit for air and fiber optic, to W2
- L. 1"1/2 Conduit, 4 x 22 AWG, Conduit for remote E-Stop for W2
- M. 2" Spare conduit for W2

Grounding:

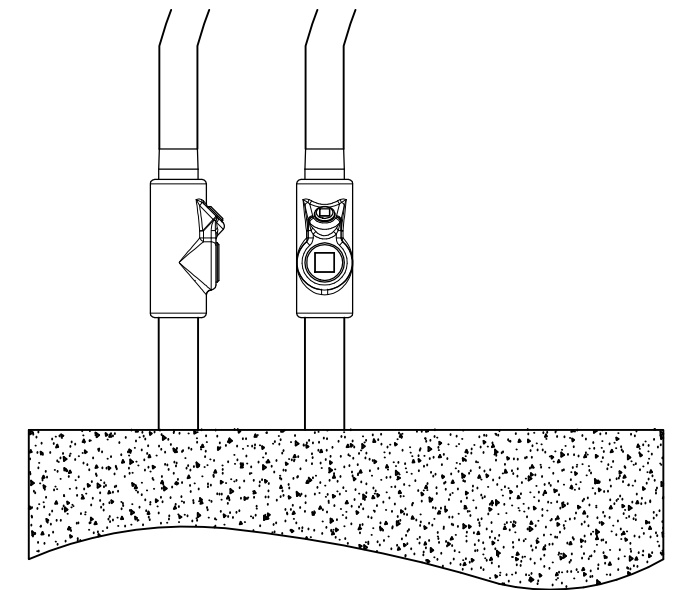
- All equipment to have a resistance to ground of less than 25 Ohms
- All ground points are marked on the layout

ADDITIONAL NOTES:

- Within 3 ft of a release point or vent stack, the electrical classification shall be considered Class 1 Division 1 [Refer to E-302 for a classification drawing]
- The rest of the equipment pad shall be considered Class 1, Division 2, Group B.
- Stub ups shall have seal offs to be installed and filled prior to introduction of hydrogen in the system, but after the connections have been validated, see detail A.



Detail A: Stub Up



COMMENTS

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 UNLESS OTHERWISE SPECIFIED ARE IN ACCORDANCE WITH ASME Y14.5M-2009
 ALL SURFACES UNLESS NOTED OTHERWISE ARE TO BE FINISHED TO A 32-RMS SURFACE
 DRAWING NUMBER: E-201

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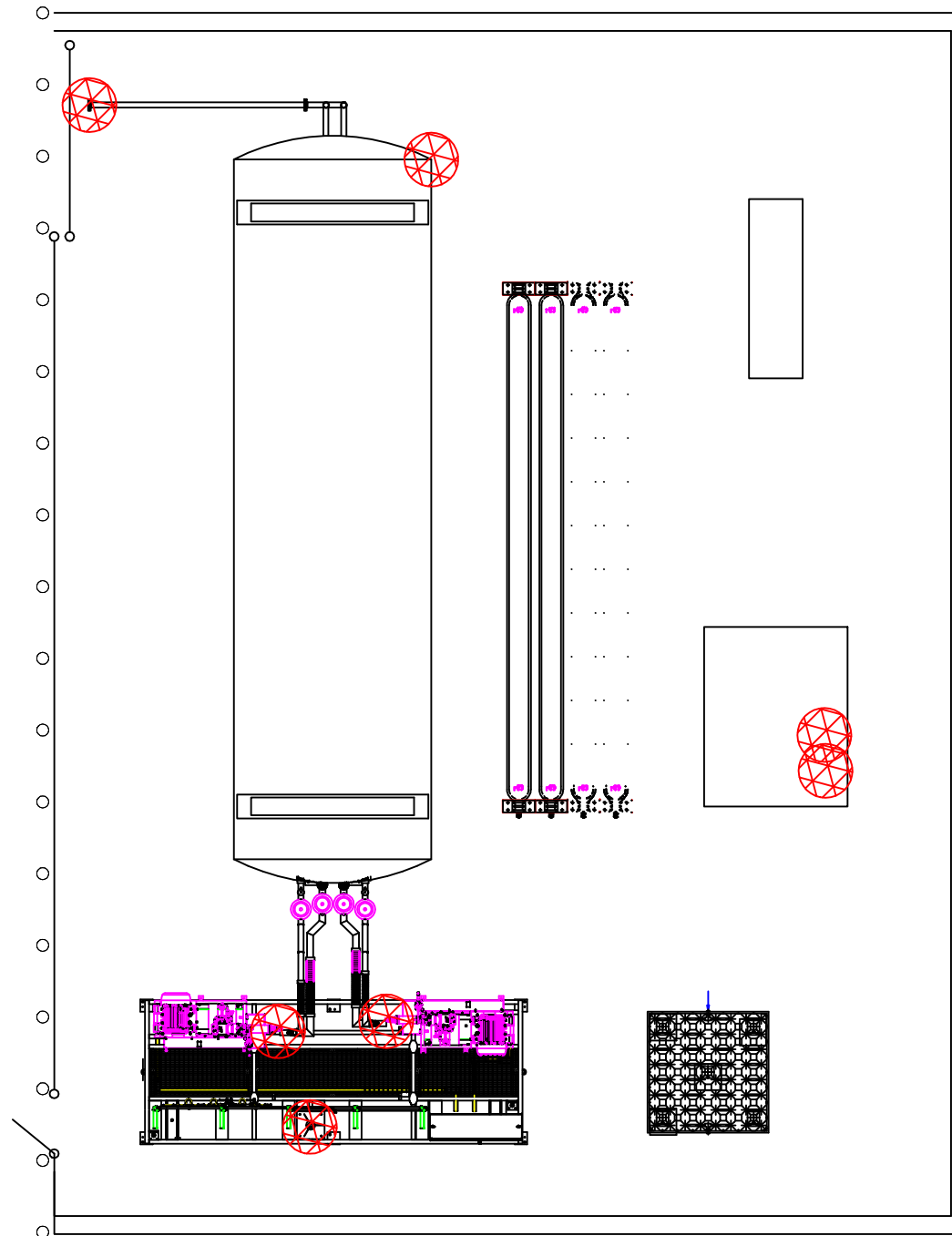
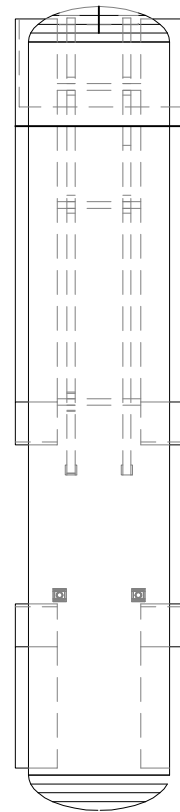
Designed by:	4/20/16	Outdoor Equipment Underground conduits and grounding
Reviewed by:	4/20/16	

GenFuel
 Scale: E-201

NOTES

- Within 3 ft of a release point or vent stack, the electrical classification shall be considered Class 1 Division 1.
- The rest of the equipment pad shall be considered Class 1, Division 2, Group B.

** The system is designed to avoid electrical components in the Class 1, Division 1, rated area for simplicity.



COMMENTS

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 DIMENSIONS ARE IN MILLIMETERS
 DIMENSIONS AND TOLERANCES IN ADDENDUMS WILL TAKE PRECEDENCE
 UNLESS OTHERWISE SPECIFIED OTHERWISE APPLY
 ALL SURFACES: Finish: Mill
 DRAWING NUMBER: 15-01

GenFuel
 Scale: E-202

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 LATHAM, NY 12110 USA
 PHONE: 518.782.7700

Designed by: Philippe Boivin
 Reviewed by: 4/20/16
 4/20/16

Outdoor Equipment
 Electrical Classification



Office of the
Chief of Fire & Rescue
Doug McElmury

May 6, 2015

Jean Werbie-Harris
Zoning Administrator
Village of Pleasant Prairie
9915 39th Ave.
Pleasant Prairie, WI 53158

Jean;

I have been asked to comment on the proposed Forklift Fuel Cell project at Uline. We have worked with Uline for over 1 ½ years on the trial phase of this project. The idea of eliminating forklift batteries that are filled with sulfuric acid and that are susceptible to damage, leaks, off-gassing and fires was intriguing to the Fire & Rescue department when we were initially educated about the project.

Over the years at different facilities, we have responded to emergency calls involving sulfuric acid leaks, fires in the battery charging areas and injuries from handling the batteries. The technology that Uline is proposing to use substantially reduces the hazards to employees and emergency responders. The fuel cell is mounted in the forklift and is not routinely removed, which eliminates the hazard of the removal and installation of the heavy battery which exposes the battery to potential damage, leaks and fires. More importantly, the employee is not exposed to the possibility of injury from the battery change process. When batteries are charged they produce hydrogen sulfide which requires ventilation and is a secondary hazard.

The proposed fuel cell in the forklift is powered by hydrogen that is refilled at small refueling stations inside the building that are closely monitored with sensors. These sensors shut down the flow of hydrogen from the storage tank located outdoors if a leak or flame is detected. The hydrogen is stored outside of the buildings in a remote, protected and secure facility. The system is NFPA 2 compliant and has an excellent safety record at the 60 locations in North America and Europe where they are operating. The Fire & Rescue Department supports the project proposed by Uline to install a remote NFPA 2 Compliant Hydrogen Fuel Cell Storage Facility.

I encourage you to contact me if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug McElmury".

Doug McElmury, Chief
Pleasant Prairie Fire & Rescue
8044 88th Ave.
Pleasant Prairie, WI 53158
262-694-8027
dmcelmury@plprairiewi.com



- C. Consider the request of James and Amy Bejna, owners of the property located at 8282 64th Court (Lot 21 of Tuckaway Trails) for approval of a **Lot Line Adjustment** to add approximately 416 square feet to their lot from the southeast corner of the property located at 8276 64th Court (Lot 20 of Tuckaway Trails) owned by William and Anne Brown.

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 May 26, 2015 Village Staff Report.

VILLAGE STAFF REPORT OF MAY 26, 2015

Consider the request of James and Amy Bejna owners of the property located at 8282 64th Court (Lot 21 of Tuckaway Trails) for approval of a **Lot Line Adjustment** to add approximately 416 square feet to their lot from the southeast corner of the property located at 8276 64th Court (Lot 20 of Tuckaway Trails) owned by William and Anne Brown.

William and Anne Brown, the owners of the property located at 8276 64th Court known as Lot 20 of Tuckaway Trails Subdivision (Tax Parcel Number 91-4-122-103-0420) are proposing to sell approximately 416 square feet from the southeast corner of their property to James and Amy Bejna. The land would be added to the southwest corner of the James and Bejna property located at 8282 64th Court known as Lot 21 of Tuckaway Trails Subdivision (Tax Parcel Number 91-4-122-103-0421).

Both properties are zoned R-5, Urban Single Family Residential District which require lots to be a minimum of 10,000 square feet. After the adjustment, both lots will continue to meet the minimum lot area of the R-5 District. If the Benja property is proposed to be re-graded to alter the location of the side yard swale, then an erosion control permit would be required to be obtained from the Village.

The Lot Line Adjustment 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 petitioners recording the proper transfer documents with the Plat of Survey for the Lot Line Adjustment as an Exhibit at the Kenosha County Register of Deeds Office within 30 days of final Village approval.

Village Of Pleasant Prairie Board:

It is our request and intent for, James and Amy Bejna ("Bejna"), owning lot 21 in Tuckaway Trails subdivision, Pleasant Prairie, to purchase 416.69 Sq Ft of property from William and Ann Brown ("Brown"), owning lot 20 in Tuckaway Trails subdivision. The additional property is located on the Southwest side of the adjoining lot line of the current property line of lot 21. The additional property, revised property lines and dimensions are detailed in the supplementary survey completed on May 5, 2015. This purchase, if granted, will not effect the swale currently in place.
Thank you for your consideration.

James and Amy Bejna
8282 64th Court
Pleasant Prairie, Wi 53158

Amy M Bejna

262-942-1303 Home
414-202-5982 Cell

RECEIVED
MAY 08 2015

BY: _____

James bejna@att.net

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.

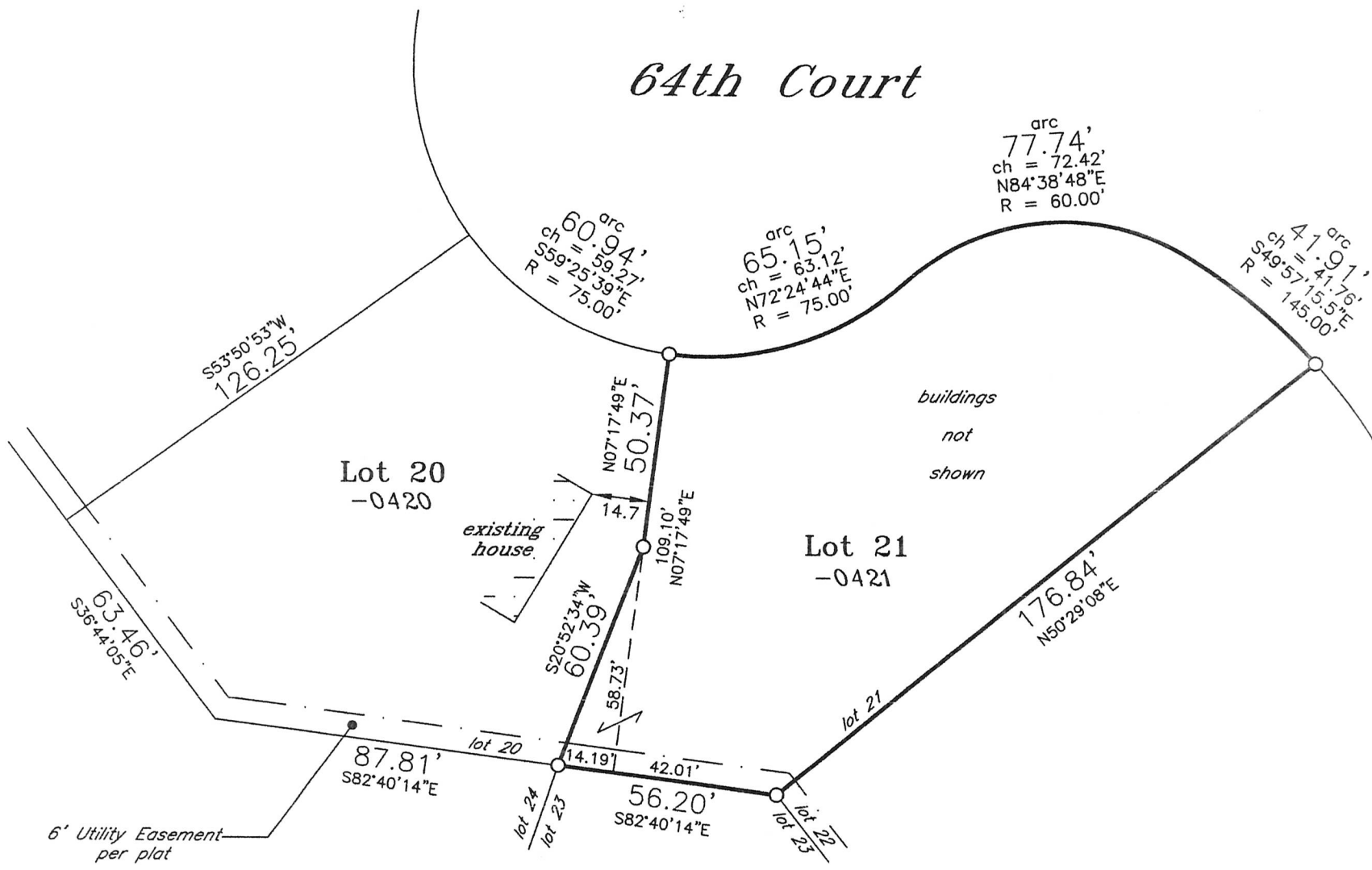
addresses: 8276 - 64th Court (-0420)
8282 - 64th Court (-0421)

Scale
1" = 40'

PLAN COMMISSION CHAIR, Thomas W. Terwall

VILLAGE CLERK, Jane M. Romanowski

VILLAGE PRESIDENT, John P. Steinbrink



LEGAL DESCRIPTION FOR PROPOSED LOT LINE ADJUSTMENT: Part of Lot 20 in Tuckaway Trails, a subdivision plat on file and of record in the Kenosha County Land Registry; lying and being in part of the Southwest Quarter of Section 10, 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:

LEGAL DESCRIPTION OF PARCEL TO BE DETACHED FROM TAX KEY NO: 91-4-122-103-0420 (Lot 20) AND ADD-ON PARCEL TO TAX KEY NO: 91-4-122-103-0421 (Lot 21): Beginning at the southeast corner of said Lot 20; which is the southwest corner of said Lot 21; thence N07°17'49"E 58.73 feet along the east line of said Lot 20; which is the west line of said Lot 21; thence S20°52'34"W 60.39 feet to a point on the south line of said Lot 20; thence S82°40'14"E along said south line 14.19 feet to the southeast corner thereof; which is also the southwest corner of aforesaid Lot 21 and the point of beginning; containing 416 square feet, more or less.

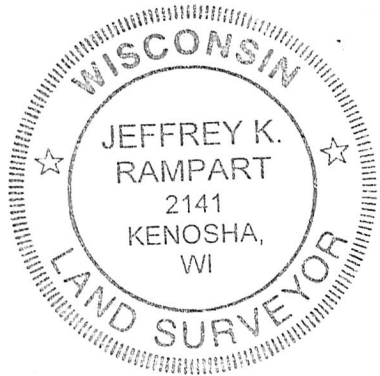
Refer to a current title report for easements or restrictions which may affect the use of these sites that are not shown on the recorded subdivision plat.



Plat of Survey for Lot Line Adjustment
BETWEEN TAX KEY NOS:
91-4-122-103-0420 & -0421
LOTS 20 & 21 IN TUCKAWAY TRAILS
in SW1/4 Section 10-1-22
VILLAGE OF PLEASANT PRAIRIE
KENOSHA COUNTY, WIS.

-for-
James & Amy Bejna

J.K.R. SURVEYING, INC.
8121 22ND AVENUE
KENOSHA, WI 53143



I hereby certify that this property was surveyed under my direction and this plat is a true representation thereof.

[Signature]
Reg. Land Surveyor
May 5, 2015