## PLEASANT PRAIRIE PLAN COMMISSION MEETING <br> VILLAGE HALL AUDITORIUM <br> 9915 39 ${ }^{\text {th }}$ AVENUE <br> PLEASANT PRAIRIE, WISCONSIN <br> 6:00 P.M. <br> July 9, 2018 <br> AGENDA

1. Call to Order.
2. Roll Call.
3. Consider approval of the June 11, June 18 and June 25, 2018 Plan Commission meeting minutes.
4. Correspondence.
5. Citizen Comments.
6. New Business:
A. Consider the request of John Huggett of the Boldt Company for approval of Preliminary Site and Operational Plans (Stage 2) for full civil plans for the installation of on-site utilities and footing and foundations for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of $104^{\text {th }}$ Street (CTH Q) and $120^{\text {th }}$ Avenue (West Frontage Road) within the Prairie Highlands Corporate Park.

## 7. Adjourn.

It is possible that 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, $99153^{\text {th }}$ Avenue, Pleasant Prairie, WI (262) 694-1400.

# PLEASANT PRAIRIE PLAN COMMISSION MEETING <br> VILLAGE HALL AUDITORIUM <br> 9915 39TH AVENUE <br> PLEASANT PRAIRIE, WISCONSIN <br> 6:00 P.M. <br> June 11, 2018 

A meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on June 11, 2018. Those in attendance were Michael Serpe, Chairman; Wayne Koessl; Jim Bandura; Bill Stoebig; John Skalbeck (Alternate \#1); Brock Williamson (Alternate \#2) and Michael Pollocoff. Deb Skarda and Judy Juliana were excused. Also in attendance were Nathan Thiel, Village Administrator; Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; and Peggy Herrick, Assistant Village Planner and Zoning Administrator.

## 1. CALL TO ORDER.

2. ROLL CALL.
3. CONSIDER APPROVAL OF THE MAY 14, 2018 PLAN COMMISSION MEETING MINUTES.

Bill Stoebig:
Move to approve.
Wayne Koessl:
Second.
Michael Serpe:
MOTION MADE BY BILL STOEBIG AND SECOND BY WAYNE KOESSL FOR APPROVAL OF THE MAY 14TH MINUTES. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it.

## 4. CORRESPONDENCE.

5. CITIZEN COMMENTS.

Michael Serpe:
Since this looks like an overnight meeting, everything on the agenda except two items are public hearings. So if there's anything that you wish to say on a public hearing you can hold your comments until that item is called. If there's anybody that wishes to make a comment now, now is your time to address the Commission. And we ask that you give your name and address. Anybody wishing to speak? Anybody wishing to speak? We'll close citizens' comments.

## 6. NEW BUSINESS:

## A. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION \#18-16 to approve the Project Plan for TID \#5, Amendment \#1.

Jean Werbie-Harris:
Trustee Serpe and members of the Plan Commission and the audience, this is a public hearing this evening for Resolution 18-16. And this is to approve the project plan for Tax Increment District \#5, Amendment \#1. So the first thing I wanted to mention is Tax Increment District \#5 is an existing industrial district that was created by resolution by the Village of Pleasant Prairie Village Board on April 17, 2017. TID \#5 has not been previous amended. The district will remain an industrial district after the proposed amendment. The project plan amendment does not supersede or replace any component of the original project plan dated April 17, 2017.

So with respect to an overview of our TID \#1 dates, the creation date originally, again, was April 17, 2017. The expenditure period April 17th through 2032. The termination date is April 17, 2037. And the first amendment date, again, which is going to the Village Board is Monday night June 18th. So an overview of TID \#5, Amendment \#1 proposed to amend the boundaries of the TID to add territory to the district to facilitate new development. And as you will see on the next map this will be on the east side of the interstate both north and south of Highway 165.

Wisconsin Statute 66, 1105(4)(h) 2 provides authority to amend the boundaries of an existing TID for the purposes of adding or subtracting territory up to a total of four total times of the life of the district. The land use, 100 percent of the developable property in the TID 5 as amended will be used for industrial or commercial use, whereby not less than 50 percent of the district by area as amended is suitable for industrial development.

The location, again, generally on both sides of I-94 both north and south of Highway 165. The size is approximately 127 acres of added territory. And, finally, the TID financing model, Village debt and developer PayGo TID, some costs will be paid for by the Village and debt will be issued, and some costs would be paid for by project developers. And the Village will issue one or more developer revenue bonds that will provide for payments to one or more developers to the extent that the tax increment collections are available and the Village Board appropriates the funds. As mentioned, this is the general location map. Again, the original TID 5 is west of the interstate approximately between County Trunk Highway C and County Trunk Highway Q. And then the amendment areas are the two areas as I identified that attach to TID 5 both north and then south of 165 .

The TID \#5, Amendment \#1 creation time line on May 14, 2018 we had the initial Village Plan Commission meeting. On May 30th we had the first Joint Review Board meeting. 6-11 which is this evening we have the Plan Commission public hearing. 6-18 is the Village Board meeting. 6-$28-18$ is the proposed second JRB meeting. And 6-29-18 is when our intended submittal of the approval documents to the Department of Revenue.

## Kathy Goessl:

Trustee Serpe and the Plan Commission members, this is a summary of proposed project cost. Most of the changes are in the project cost area, not in the administration or legal area. Total overall this plan is going up $\$ 12.9$ million. I'll go into more detail here on the next slide. This slide shows the original project plan of 2017 that was approved last year for $\$ 54,862,500$. And the second column numbers shows the Amendment \#1 that we're proposing for 2018. And then the next column over shows the difference or the increases and decreases in the plan in dollar amounts.

There are three reasons that these costs are changing. First of all which is a minor change is Prairie Highlands, the area on the west. It is actually decreasing almost a million dollars in terms of cost in that area that we're looking at. Once we have Haribo in there and Aurora and the roads have been designed and we've amended our project numbers we came up with a lower number there. The second reason this is changing is due to addition of a roundabout. That's actually over by the outlet stores for a little over $\$ 9.1$ million.

And then the third reason is south of 165 , right north of 165 , is the project called The Gateway. And that is a project that WisPark is going to be putting the improvements in, and we will be issuing a developer revenue bond to WisPark for those improvements. The cost of those improvements are $\$ 2.8$ million. And then we have additional improvements currently budgeted depending on development on the most northern site on the east side of $\$ 1.8$ million on that side.

So the increase as you can see the major one is grading and stormwater management has decreased over $\$ 5$ million. Then we also have a developer grant that's been added. That's part of the reason why the rating has decreased is because the Aurora site is going to be graded by Aurora, and we're giving them this grant to compensate them for that grading. And then we have the KABA loan fund which we put into this plan which originally wasn't in the plan. Current KABA has a million dollars of our money to be loaned out. And we put this other $\$ 2$ million for the future just in case as things come along that if we need that to be given to them to loan out to businesses within this area. So this is a little bit further out, like three or four years or five to six years out to the second one.

And then we have land purchase. Because of our development agreement with Haribo actually, one of the things in there is if development doesn't occur by a certain date we would be obligated -- or we could purchase the land back. So we put this in our plan. We're hoping this doesn't happen. The plan also includes the resale of that land three to four years later. We didn't want to sell it right away if we have to buy it back because if we resold it and the TID 2 wasn't closed we would have to put the money in TID 2.

And then others the main thing there is gas and electric along Goldbear Drive and along 128th Avenue. It's along the roads. The companies have to put their own electric service to their
buildings. And then we have some monument signs, three monument signs for $\$ 50,000$ each for Prairie Highlands. So those are the changes in this plan that we're proposing.

This kind of just re-goes over the different categories we have. We have roadway at a little over $\$ 12.3$ million. This includes roadway extensions like Goldbear Drive and 120th Avenue. It includes the roundabout, traffic signals, street trees, traffic and street lights. Storm sewer approximately $\$ 2.7$ million. Storm water includes construction of stormwater infrastructure throughout the TID \#5 most of it being in the original TID.

And then sanitary sewer at $\$ 2.5$ million approximately. This includes sanitary sewer throughout Prairie Highlands on the west side of the interstate. And then relocating a southern section of 120th Avenue to actually be aligned with the road. Right now it's out in the middle of the property because the frontage road was realigned. And then also for north of 165 Gateway has some sanitary sewer, very little, and then some sanitary sewer to serve the potential office complex north on that east side.

Then we have water mains of $\$ 10.7$ million. And this also includes a water tower. This is mainly to serve Prairie Highlands Corporate Park, and also a small amount of cost for the development south of 165 and east of I-94 and also an offsite improvement also that was originally in here in the first place. Grading and stormwater management $\$ 16.1$ is the majority of our cost here. New grading project costs, mainly grading west of I-94 in the original area.

TID 2 has an escrow fund set up, and they are taking a chunk of the grading. So this is just the grading left over after TID 2 escrow pays for their portion of it. Their portion is about $\$ 8$ million of grading. So $\$ 8$ million plus the $\$ 16$ million is what we're estimating for the whole site. And also there's some grading that's happening in The Gateway project also.

The KABA loan, well, first of all the developer grant is to Aurora mainly used for grading. KABA loan fund is a million dollars twice over the next three to five or seven years when needed. And then land is mainly due to repurchase agreement in our development agreement hoping we don't have to do that. And then administrative cost of a little over $\$ 4.5$ million.

This is just showing the cost over the different years. This is the amended project plan. We have pushed more cost up in the first three years from 2018 to 2020, an increase of $\$ 25$ million in those years compared to the original plan we had. 2021 to 2023 is staying the same. And then we have an increase in 2024 to 2026 of $\$ 5.2$ million. And then we have decrease in the 2027 through 2029 of a minus $\$ 18$ million. So a lot of costs have been pushed up toward the earlier years with Aurora and Haribo. And then we're going to also right away do the sites that are west of them also to get everything ready to be sellable.

This is a cash flow statement. It shows the actual changes taking place. These changes are based on our Village assessor evaluating past performance and putting them into that area for this TID. And also estimates that we've gotten from WisPark for Gateway. So the change takes place over on the left side, and then the value changes a year later. And then a year later is when we finally get an increment coming in for the value increases.

So revenue sources other than increment is from the Village of Bristol. They're looking at connecting to our sewer and water. And this is some upsizing that we need to do and connection
to get them to be served by our sewer and water. We also are looking at special assessment. We did put a dollar value in here. Currently we're still looking at numbers, how we want to special assess, what level we want to special assess. So right now there's nothing in here. If we special assess all new properties at full value this TID would be done one year earlier than what it's showing right now.

That line at the bottom right under 2034 shows when this TID based on our values, based on our sales would close down based on our current costs. The debt we have to issue is in red. That is issued over time for our project cost. They will be GO debt, some taxable if they're done on private -- mainly the private grading has to be taxable. And then the rest of the infrastructure can be tax exempt. And then we have the developer revenue bond which we would issue the majority probably this fall and then add on to it next year as additional costs come in. So, as I said, based on this plan 2036 would be when this TID closes. But once we put some special assessments in here it backs up another year. These values are all estimates so it could fluctuate over the term of the actual TID life.

## Jean Werbie-Harris:

So what I'd like to do is just go over the 11 maps that are included as exhibits for the TID 5 project plan. Amendment \#1 in this first map, map number 1 is the TID District \#5, Amendment \#1. And it identifies the tax parcel numbers, it identifies the surface water, the staked wetland areas. But primarily it also identified in green the territory that we've added to the TID \#5, Amendment 1 area.

Map number 2 is the map that specifically identifies the boundaries for both the floodplains and wetlands. As you can see at least in the Prairie Highlands Corporate Park that all of those wetlands have been delineated so that's based on staked wetlands in that area. And, again, we've got the 100 year floodplain clearly identified as well as the staked wetlands.

Map number 3 is the Tax Increment District \#5, Amendment \#1 existing uses and conditions by land use. It identifies those areas that were agricultural and vacant. And as you can see there are a number of areas that are still identified as agricultural. Once we start our grading work out in Prairie Highlands in the next few weeks that will modify that land use or that existing land use over there.

Map number 4 is Tax Increment District \#5, Amendment \#1 the existing sanitary sewer and water mains that service the area identified in green for the sewer main and blue for the water main. Map number 5 is the Tax Increment District \#5, Amendment \#1 existing sewer and water main including now the proposed sanitary sewer lift station, the proposed sanitary sewer and water main additions that are going to be added to service throughout this TID 5 and amendment area.

Map number 6 identifies specifically the proposed roundabout area within TID \#5, Amendment \#1. And this is south of Highway 165 pretty much right there at that intersection of Corporate Drive, 120th Avenue and 116th Avenue just to the northeast corner of Premium Outlets. Map number 7 in TID \#5, Amendment 1 is the existing zoning for all the different parcels within the district.

Map number 8 is the proposed zoning. There are going to be some modifications. For example, I can see that the B-6 area that's been identified for The Gateway at LakeView Corporate Park that will have a PUD overlay on it so I'll make that correction to the map. That should have PUD, so it will be B-6 PUD. And there is also a couple of other areas that will have some PUDs, and we can identify, for example, where the Fairfield Inn and Suites that actually a PUD as well. So we'll put that overlay district on that map as well.

Map number 9 is the TID \#5, Amendment \#1 existing land use plan map. And most of these land uses have already been changed so that map number 10 is the proposed land use plan map. And this finishes the primary TID maps. And then there's a map 11 that provides a little bit more specific information for you that shows the configuration of the roundabout south of 165 at 120th Avenue and Corporate Drive and how that would be incorporated into the land use area based on the proposed configuration.

With that the only thing I'd like to mention that this is a public hearing, and we will continue that public hearing. Before you this evening we do have Resolution 18-16 for the Plan Commission to consider. And, again, the purpose of this resolution is to approve the Amendment 1 to the project plan for Tax Incremental District \#5 of the Village. So specifically as part of the adoption of this resolution you'd be doing two things, adopting the amended project plan which includes the attached resolution, and then also then submitting this project plan onto the Village Board for their formal approval at the June 18th meeting. With that I'd like to continue the public hearing.

Michael Serpe:
This is a matter for public hearing. Anybody wishing to speak? Anybody wishing to speak? We'll close the public hearing and open it up to comments and questions from the Commission. Matt, maybe to you. With the approximate cost to the grading, sewer, water, with everything that's happening a little bit north of us, could we be in jeopardy with higher costs eventually when the contracts come out.

## Matt Fineour:

To answer that question we just received bids for a lot of work over at Prairie Highlands Corporate Park. And we're very pleased with the results. They were very competitive bids, and we got costs that I think are very reasonable. So the effect of all the work that's going on north of us at least for that contract which had a lot of work associated with it did not affect it at all.

Michael Serpe:
Okay. Any other questions? Mike?
Mike Pollocoff:
I'm just wondering on the resolution under --
Wayne Koessl:
18-16.

Mike Pollocoff:
Right, 18-16, in the adoption of the amended project plan the resolution reads the Plan Commission hereby adopts the amended project plan attached to the resolution and will be incorporated by reference. I want the Village to be able to have the flexibility to adjust the timing on the project as needed over time. So given the economic conditions or the economy slows down, the economy speeds up, I just would like to have that implicit understanding and probably I think it should be by amendment in order to have it stick that the Village will reserve the right based on economic conditions in the Village to modify the schedule, the construction schedule as needed.

Michael Serpe:
With everything we're facing with the loss of power plant money, with the dark store and everything else it could be a burden.

Wayne Koessl:
Are you moving that as an amendment to it, Mike?
Mike Pollocoff:
Yes.
Wayne Koessl:
Are you making a motion also?
Mike Pollocoff:
Yes.
Wayne Koessl:
I'll second it then.
Michael Serpe:
MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY WAYNE KOESSL THAT THE VILLAGE TAKE INTO CONSIDERATION THE ECONOMIC CONDITIONS WHEN WE ADMINISTER THE TID?

Mike Pollocoff:
Yes, through the TID process.

The TID projects.
Mike Pollocoff:
If necessary due to economic conditions the Village could adjust the schedule. Not the amount but the schedule of when things are constructed.

Michael Serpe:
Any questions on that? Motion made and seconded for approval. All in favor say aye.
Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you. We'll take Item B, C and D together.
B. Consider the request of the Village of Pleasant Prairie, owners, for approval of a Certified Survey Map to subdivide the property generally located at the northeast corner of 120th Avenue (West Frontage Road) and CTH Q (104th Street) in the Prairie Highlands Corporate Park.
C. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION \#18-17 FOR A COMPREHENSIVE PLAN AMENDMENT for the request of the Village of Pleasant Prairie, owners of the vacant properties generally located at the northeast corner of 120th Avenue (West Frontage Road) and CTH Q (104th Street) and the northeast corner of 120th Avenue (West Frontage Road) and Goldbear Drive to amend the Village of Pleasant Prairie, 2035 Comprehensive Land Use Plan Map 9.9 to correctly show the location of the field delineated wetlands (excluding the wetlands allowed to be filled) within the Park, Recreation and Other Open Space lands with the field verified wetland land use designations; to place the Outlots within the Prairie Highlands Corporate Park to be used for stormwater purposes into the Park, Recreation and Other Open Space land use designation; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendments.
D. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT for the request of the Village of Pleasant Prairie, owners of the vacant properties generally located at the northeast corner of 120th Avenue (West Frontage Road) and CTH Q (104th Street) and the northeast corner of 120th Avenue (West Frontage Road) and Goldbear Drive to rezone the field delineated wetlands (excluding the wetlands allowed to be filled) into the C-1, Lowland Resource Conservancy District and to rezone the Outlots used for stormwater

## facilities, excluding the wetland areas into the PR-1, Neighborhood Park and Recreational District within the Prairie Highlands Corporate Park.

Jean Werbie-Harris:
Mr. Chairman and members of the Plan Commission, Items B, C and D will be taken up at one time. Separate actions will be required by each of the items. Item B is consider the request of the Village of Pleasant Prairie, owners, for the approval of a Certified Survey Map to subdivide the property generally located at the northeast corner of 120th Avenue or the West Frontage Road and County Trunk Highway Q or 104th Street in the Prairie Highlands Corporate Park.

Item C is a public hearing and consideration of Plan Commission Resolution \#18-17 for a Comprehensive Plan Amendment, and this is also for the request of the Village of Pleasant Prairie owners of the vacant properties generally located at the northeast corner of 120th Avenue, West Frontage Road, and County Trunk Highway Q, 104th Street, and at the northeast corner of 120th Avenue, West Frontage Road, and Goldbear Drive to amend the Village of Pleasant Prairie, 2035 Comprehensive Land Use Plan Map 9.9 to correctly show the location of the field delineated wetlands excluding those that are going to be permitted to be filled within the Park, Recreational and Other Open Space lands within the field verified wetland land use designations; to place the outlots within the Prairie Highlands Corporate Park to be used for stormwater purposes into the Park, Recreation and Other Open Space land use designation; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include the amendments.

And then the last item is Item D, public hearing and consideration of a Zoning Map Amendment. And this is at the request of the Village of Pleasant Prairie for the same properties in the same areas. And this is to rezone the field delineated wetlands excluding the wetlands allowed to be filled and placing them into the C-1, Lowland Resource Conservancy District, and to rezone the outlots used for stormwater facilities, excluding the wetland areas, into the PR-1, Neighborhood Park and Recreational District within the Prairie Highlands Corporate Park.

As Prairie Highlands Corporate Park, generally located between 104th Street and Wilmot Road or County Trunk Highway C west of 120th Avenue continues to develop, the Village staff is presenting another Certified Survey Map to create Lot 2 to be sold to Aurora Healthcare, Inc., an outlot to be transferred to Prairie Highlands Commercial Owners Association for storm water purposes and Lot 1 for future development. In addition, requests to approve amendments to the land use and the zoning maps to update and correctly show the field delineated wetlands and the outlot areas within Prairie Highlands Corporate Park are proposed.

The Village is currently designing or has designed stormwater facilities to manage the development of the entire Corporate Park. Several storm water retention ponds have been designed to capture and manage stormwater from the park's development. The ponds will be located within Outlot 1 -- in this particular CSM ponds will be located within Outlot 1 of the proposed CSM and in Outlot 1 of CSM 2849 that was previously approved by the Plan Commission and the Board.

In addition, a wetland staking was completed on the Prairie Highlands property for the Village in 2017 by RA Smith. The Village is in the process of obtaining state and federal permits to fill approximately .85 acre of wetlands on the site as shown on the attached wetland impact figure
which identifies the wetland impacts near the intersection of Goldbear Drive and 120th Avenue or the West Frontage Road as shown on the screen.

The Village completed an Alternatives Analysis wetland fill impact application and has submitted it to the Wisconsin DNR and the U.S. Army Corps of Engineers for their review and approval. Approvals are expected in June and in August respectively from these agencies. The remaining wetland areas will be protected and are proposed to be rezoned into the C-1, Lowland Resource Conservancy District.

The Certified Survey Map proposes to re-divide Lot 2 of CSM 2849 into two lots and an outlot. The CSM also dedicates 128th Avenue right-of-way that will connect 104th Street and Goldbear Drive.

- Lot 1 as shown is approximately 142.0831 acres. It's intended to be further subdivided by the Village pursuant to the M-5, Production and Manufacturing Zoning District requirements and based on proposed uses that come to the Village.
- Lot 2 is approximately 63.7124 acres located at the northwest corner of 120th Avenue or the West Frontage Road and County Trunk Highway Q. This lot is proposed to be sold to Aurora Healthcare for the development of the proposed Aurora Healthcare-Pleasant Prairie Ambulatory Care Center and Medical Office Building.
- Outlot 1 is approximately 34.8470 acres. It's located north of Lot 2 between 128th Avenue and 120th Avenue and south of Goldbear Drive. This outlot will be used for stormwater management facilities generally for Prairie Highlands Corporate Park. There's also going to be walking trails and open space in that particular outlot.

The second item which is the Comprehensive Plan Amendments, this is Plan Commission Resolution \#18-17: The Village Comprehensive Plan Land Use Plan Map 9.9 is proposed to be amended as follows: To correctly show the location of the field delineated wetlands excluding the wetlands allowed to be filled within the Park, Recreation and Other Open Space lands with the field verified wetland land use designations on the properties identified as Tax Parcel Numbers 91-4-121-241-0701 and 91-4-121-244-0602. And secondly to place the non-wetland areas of Outlot 1 of CSM 2849 and Outlot 1 of the proposed CSM that are proposed to be used for stormwater management purposes into the Park, Recreation and Other Open Space land use designation. In addition, the Appendix 10-3 of the Village Comprehensive Plan is proposed to be updated to include the amendments.

And, finally, the third item the Zoning Map Amendment: To ensure that the Village's Zoning Map and the Comprehensive Land Use Map are consistent, the following Zoning Map Amendments are being considered: 1) to rezone the field delineated wetlands on the properties identified as Tax Parcel Numbers 91-4-121-241-0701 and 91-4-121-244-0602 into the C-1, Lowland Resource Conservancy District, and 2) to rezone the non-wetlands areas of Outlot 1 of CSM 2849 and Outlot 1 of this CSM that are to be used for stormwater management purposes into the PR-1, Neighborhood Park and Recreational District.

Lots 1 and 2 of the proposed CSM excluding any wetlands will remain in the M-5, Production Manufacturing Zoning District. In addition, any land areas that are zoned FPO, Floodplain

Overlay District, will remain unchanged. The CSM, with the approval of the Comprehensive Plan and the Zoning Map Amendments, complies with Village Land Division and Development Control Ordinance and the Village Zoning Ordinance requirements. This is also a matter for public hearing due to the request before you, and I'd like to continue the public hearing.

## Michael Serpe:

Item $B$ is not a public hearing but $C$ and $D$ are, but we will accept comments on all three. So this is a public hearing, anybody wishing to speak? Anybody wishing to speak? We'll close the public hearing and open it up for comments and questions. We'll take individual votes on all three items, B, C and D.

Jim Bandura:
Mr. Chairman on Item B, Certified Survey Map, I recommend approval.
Mike Pollocoff:
Second.
Michael Serpe:
MOTION MADE BY JIM BANDURA AND SECONDED BY MIKE POLLOCOFF FOR APPROVAL OF THE CERTIFIED SURVEY MAP. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Item C what's your pleasure?
Wayne Koessl:
Mr. Chairman, I would move that the Plan Commission send a favorable request to the Village Board.

Michael Serpe:
For Resolution 18-17?
Wayne Koessl:
For 18-17, correct.

Second.

## Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND SECONDED BY BROCK WILLIAMSON FOR APPROVAL OF RESOLUTION 18-17. ALL IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:
Opposed? The ayes have it. Item D what's your pleasure?

Jim Bandura:

Recommend the Zoning Text Amendment.

Bill Stoebig:

Second.

Michael Serpe:
MOTION MADE BY JIM BANDURA AND SECONDED BY BILL STOEBIG FOR APPROVAL OF THE ZONING TEXT AMENDMENT -- ZONING MAP AMENDMENT.
ALL IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.
E. Consider the request of John Huggett of the Boldt Company for approval of Preliminary Site and Operational Plans, Development Agreement and related documents for the mass grading, installation of underground utilities and early footing and foundation for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of 104th Street (CTH Q) and 120th Avenue (West Frontage Road) within the Prairie Highlands Corporate Park.
F. Consider the request of John Huggett of the Boldt Company for approval of Preliminary Site and Operational Plans (Stage 1) for the mass grading for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of 104th Street (CTH Q) and 120th Avenue (West Frontage Road) within the Prairie Highlands Corporate Park.

Jean Werbie-Harris:
So Trustee Serpe and members of the Plan Commission, neither of these items are public hearings. We do have a representative here in the audience from Aurora to respond to or answer any questions that you may have this evening. What I am going to say in the initial presentation is that we have still some tweaks and some corrections that we do need to make to the development agreement. So when I'm done with my presentation I am going to ask if that item could be tabled until Monday evening for a Special Plan Commission meeting. But I would like to go through a full presentation of Item F.

So Item E is consider approval of the development agreement and tax shortfall agreement and related documents for the proposed Aurora Healthcare Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of 104th Street and 120th Avenue within the Prairie Highlands Corporate Park. Again, I will not be presenting for that specific item this evening, but both items are related and so I will be making one presentation.

The second item, Item F, consider the request of John Huggett of the Boldt Company for approval of the Preliminary Site and Operational Plans Stage 1 for the mass grading for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of 104th Street and 120th Avenue. And this is locat3ed within the Prairie Highlands Corporate Park.

The petitioner is proposing to purchase approximately 64 acres of vacant property generally located at the northwest corner of 120th Avenue or the West Frontage Road and 104th Street, County Trunk Highway Q, within the Prairie Highlands Corporate Park from the Village of Pleasant Prairie for the development of the construction of the Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building.

On April 2, 2018, the Village Board conditionally approved a Master Conceptual Plan for the proposed Aurora Health Center for that property. The proposed $\$ 130$ million development would include an approximate 100,000 -square-foot ambulatory care center, a three story, 100,000 square-foot professional office building and associated surface parking and open space. The building is situated on the site to accommodate future expansion as the healthcare needs of the community evolve. The planning and design of the proposed facility would preserve the site's woodlands and natural wetlands, providing care in a natural and healing environment.

The proposed healthcare facility would offer new and expanded services in an ambulatory care center and professional office building. The facility is intended to meet the rapidly growing healthcare needs of individuals residing in the Village as well as surrounding communities, ensuring access to high-quality, cost effective care in a convenient location. Hours of operation
have not yet been established, but it's estimated that the hours would be from 5:30 am to 7:30 pm with expanded hours based on demand. Services offered on the site would include primary care, outpatient surgery, rehabilitation services, imaging, laboratory services, occupational health and a variety of specialty care services and a pharmacy.

Within the facility there will be operating rooms, imaging rooms, rehabilitation equipment, prep/recovery rooms, clinic exams, food service, a laboratory, pharmacy and sterilization equipment. The equipment used within the facility will support the previously identified departments and rooms. A generic listing of the equipment that will be within this facility will include but is not limited to: CT, MRI, X-ray, bone densitometer, mammography, ultrasound, operating rooms, steam sterilizers, disinfector, crash cart, centrifuge, stretchers, exam tables, kitchen hoods, grills, freezers and refrigerators. A screened mechanical service area will be located on the building to screen all mechanical from view.

It's estimated that this facility will provide for 260 full-time and 28 part-time employees working in two shifts. This will include 140 new jobs. A total of 737 parking spaces including 24 handicapped accessible parking spaces are being provided with a separate entry, and two dock service court areas are shown on the west side of the building. It is anticipated that the average daily automobile trips would be approximately 2,565 per day with an average of four daily truck trips per day. Access to this development will be from an internal roadway that runs east/west, connects a boulevard entrance at 120th Avenue, West Frontage Road, to a boulevard entrance at 128th Avenue. There will be no access to 104th Street with this development. A total of three access points are proposed to this site from 128th Avenue.

The Certified Survey Map as previously discussed at the meeting will create Lot 2 to be purchased by Aurora from the Village, and Outlot 1 will be transferred to the Prairie Highland's Commercial Owner's Association from the Village. Outlot 1 will provide for regional basins for Prairie Highlands Corporate Park and will handle stormwater for Aurora as well as the southern end of the Corporate Park west of 128th Avenue. The grading of the Aurora Lot and the stormwater facilities within the outlot will be completed by Aurora pursuant to a development agreement which specifies the obligations and other requirements of both the Village and Aurora including the required public and private improvements that benefit the Aurora development.

All public roadway improvements and public utilities serving the Aurora site have been designed and are out for bid with work to start the end of June or early July. As Matt Fineour has indicated we actually opened bids I believe last Thursday. And those bids I believe are going to the Village Board at their next meeting. The improvements are intended to be installed by the Village and are anticipated to be completed by the late fall of 2019. The Village is coordinating the electrical services needed for the area street lighting, and Aurora is coordinating their onsite gas and electric service needs directly with We Energies.

A wetland staking was completed on the property in 2017 by RA Smith at the Village's request. The existing wetlands on the site are intended to be preserved and protected by Aurora during site development. And the Comprehensive Land Use Plan as well as the Zoning Map as discussed earlier on tonight's agenda are being amended to reflect those wetland designations. If in the future the isolated pocket of wetlands on the site is proposed to be filled by Aurora, then the Village Comprehensive Land Use Plan Map and the Zoning Map would need to be amended to reflect the locations of the wetlands to be filled although that is not their intention at this time. If
the wetlands are proposed to be filled, they would be required to obtain fill permits from the Wisconsin DNR as well as the US Army Corps of Engineers. And it should be noted on the plans which wetlands if they would intend to fill any of them.

So this evening they are requesting Preliminary Site and Operational Plan or Stage 1 of the construction activity. It's important to note that there is going to be four different stages. This is a large projects, it's over four stages, so there will be various stages. The initial stage will be more of the mass grading. The second stage will be the underground utilities, putting in foundation. The third stage will be the third package, and the fourth stage will be the Final Site and Operational Plans. So in order to move this project along it's important for them to meet their time frames and for us to work with them. So that's why we split it up into four different stages.

This Preliminary Site and Operational Plan or Stage 1 approval will allow for Lot 2 site mass grading which includes proposed tree removal, top soil stripping and stockpile locations, site erosion control which includes the construction entrance, diversion ditch checks, silt fence and inland protection locations and site grading. Which also includes the proposed pond Outlot 1 locations and sizes on outlet control structure locations and the overall grading scheme for the development of the area.

As plans are developed the following approvals are expected. As I briefly had mentioned, Preliminary Site and Operational Plans for Stage 2 will be the full final civil plans and all underground utilities and footing and foundation permits. And then Phase 3 can be considered preliminary or final, again, site and operational plans for the building shell, detailed landscaping plans, lighting plans, DSIS agreement and signage plans. And then the very final Site and Operational Plans which would be Stage 4. And this would be for the interior buildout of the plan sets.

Mass grading of the site is expected to begin in July with early footing and foundation and their underground utilities expected to begin in late July, early August. The building construction to be anticipated later this summer. This project is anticipated to be completed in the summer of 2020. And what I mean by that is the building construction as well. With respect to TID project plan impact this development will need to be in compliance with the overall development plans and the TID \#5 project plan including Amendment \#1, including the tax shortfall agreement as set forth in the development agreement. So with that, again, this is not a public hearing. Again, we do have representatives here for Aurora in case you have any questions or if you need any additional clarification with respect to the project.

Michael Serpe:
Does the petitioner have anything to add or would like to add anything to this? Nothing? Okay. What's your recommendation Item E, to table Item E?

Jean Werbie-Harris:
The staff is recommending to table the development agreement, Item E. And at this point we are looking to host a special Plan Commission meeting on Monday night June 18th approximately 5:15, 5:30. I will have the exact time once I talk to the Plan Commissioners and to see if there's
anything else that needs to be on the agenda that night. So we would recommend that that be tabled until that time. We have a few things that we need to work out yet before we bring that to you.

Mike Pollocoff:
I would recommend approval of the Preliminary Site and Operational Plans for Stage 1 as presented with the corresponding recommendations.

Michael Serpe:
That's the approval of Item F and the tabling of Item E?
Mike Pollocoff:
Yes.
Michael Serpe:
Is there a second to that?
Wayne Koessl:
I'll second.
Michael Serpe:
MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF THE PRELIMINARY SITE AND OPERATIONAL PLAN AND TO TABLE ITEM E UNTIL MONDAY NIGHT, JEAN, AT 5:30. PLAN COMMISSION MEMBERS GOT THAT? OKAY. ALL IN FAVOR SAY AYE.

Voices:

Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you. We'll take G, H and I together.
G. Consider the request of Mark Eberle, P.E. with Nielsen, Madsen \& Barber on behalf of the property owner WisPark LLC to approve a Certified Survey Map, Development Agreement and related plans and documents for the proposed commercial development of the vacant property generally located north of STH 165 along 120th Avenue (East Frontage Road) to be known as The Gateway at LakeView Corporate Park. Gateway CSM and Development Agreement
H. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION \#18-18 FOR A COMPREHENSIVE PLAN AMENDMENT for the request of Mark Eberle, P.E. with Nielsen, Madsen \& Barber on behalf of the property owner WisPark LLC for the proposed commercial development of the vacant property generally located north of STH 165 along 120th Avenue (East Frontage Road) to be known as The Gateway at Lakeview Corporate Park: to amend the Village 2035 Land Use Plan Map 9.9 to correctly identify the field delineated wetlands into the Primary Environmental Corridor with a field verified wetland land use designation and to correctly show the non-wetland areas proposed to be located with an Outlot into the Park, Recreation and other open space land use designation; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9
I. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AND TEXT AMENDMENTS for the request of Mark Eberle, P.E. with Nielsen, Madsen \& Barber on behalf of the property owner WisPark LLC related to the proposed commercial development of the vacant property generally located north of STH 165 along 120th Avenue (East Frontage Road) to be known as The Gateway at LakeView Corporate Park. Specifically to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District and to rezone the remainder of the proposed Outlot into the PR-1, Neighborhood Park and Recreational District for storm water management facilities. The proposed Lots will remain in the in the B-6, Freeway Oriented Business Center District and the entire property would be rezoned into the PUD, Planned Unit Development Overlay District. In addition, to approve a Zoning Text Amendment to create the specific PUD ordinance for said development.

Jean Werbie-Harris:
Trustee Serpe and members of the Plan Commission, Item G is to consider the request of Mark Eberle, P.E. with Nielsen, Madsen \& Barber on behalf of the property owner WisPark, LLC to approve a Certified Survey Map, development agreement and related plans and documents for the proposed commercial development of the vacant property generally located north of Highway 165 along 120th Avenue, this is the East Frontage Road, to be known as The Gateway at LakeView Corporate Park, Gateway CSM and the Development Agreement.

I am going to continue to make the presentation. This is another one where we need to make some modifications and connections yet with respect to the development agreement. We hope to have that completed by Monday night. So I am going to be asking for the development agreement portion of this to be tabled, but we will continue with all the other items.

So Item H, public hearing and consideration of Plan Commission Resolution \#18-18 for a Comprehensive Plan Amendment, and this is also at the request of Mark Eberle, P.E. with Nielsen, Madsen \& Barber on behalf of the property owner WisPark, LLC. And this is for the proposed commercial development of the vacant property generally located north of Highway 165 along 120th Avenue to be known as The Gateway at Lakeview Corporate Park.

And this is to amend the Village 2035 Land Use Plan Map 9.9 to correctly identify the field delineated wetlands into the Primary Environmental Corridor with a field verified wetland land use designation and to correctly show the nonwetland areas proposed to be located with an outlot within the Park, Recreation and other Open Space land use designation. And to update 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9

And the third item is the consideration of the Zoning Map and Text Amendments also at the request of Mark Eberle of Nielsen, Madsen \& Barber, also on behalf of the property owner WisPark LLC. And this is related to the commercial development of the vacant property located north of 165 along 120th Avenue known as The Gateway at LakeView Corporate Park. Again, this is to specifically to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District, and to rezone the remainder of the outlot into the PR-1, Neighborhood Park and Recreational District, for stormwater management facilities. The proposed Lots will remain in the in the B-6, Freeway Oriented Business Center District, and the entire property would be rezoned into the PUD, Planned Unit Development Overlay District.

In addition, we would be considering to approve a Zoning Text Amendment to create the specific PUD ordinance for the development this evening. Again, these items are related and will be discussed at the same time with separate actions required.

The petitioner is proposing to develop the vacant property identified as Tax Parcel Number 92-4-122-193-0166 generally located at the northeast corner of Highway 165 and 120th Avenue, the East Frontage Road. And this is for a commercial development to be known as The Gateway at Lakeview Corporate Park. And from this point forward I'll refer to it as The Gateway. The items to be considered for the proposed project include the Certified Survey Map, Comprehensive Plan Amendments, and Zoning Map and Text Amendments, again, with the Development Agreement at a later date.

The property is proposed to be subdivided into three lots and one outlot. Pursuant to the Master Conceptual Plan that was as conditionally approved by the Village Board on December 18, 2017, the property is proposed to include restaurants, gas station/carwash/c-store and/or multi-tenant commercial buildings, again, to be known as The Gateway. Lot 1 as shown on the screen is 3.488 acres. Lot 2 is proposed to be 3.192 acres, and this would be for the future Kwik Trip store \#296 site. Lot 3 is 6.347 acres which could be further subdivided into two parcels or three. And Outlot 1 is 8.809 acres.

A wetland staking was completed on these properties on September 8th and 11, 2015 by Wetland \& Waterway Consulting, LLC. The Wisconsin Department of Natural Resources or the Wisconsin DNR has exempted Wetlands 1 and 2 from the State Wetland Regulations. And that's provided as information in the attached letter dated March 9, 2017 since these areas were constructed in the early 1990s as storm water retention basin and drainage improvements. Written concurrence from the US Army Corp of Engineers is also required. I'm not sure if we've received that or not yet. All of the wetlands that will remain on the site will be located within Outlot 1 of the proposed CSM, and they will be preserved and protected by the owner.

The existing storm water retention basin will be relocated to the eastern portion of the property within Outlot 1 and will serve as a storm water collection area for the development as shown on
the slide. Within Outlot 1 , sanitary sewer was extended in an easement to serve the lots. Over the sanitary main there will need to be constructed a 12 foot wide gravel path, and this would be within the 30 foot wide easement that will also provide access to that existing sanitary sewer main for maintenance purposes. The path will also provide a pathway or multi-use path for pedestrians and bicyclists to use as it will connect the Frontage Road to Highway 165 in lieu of a sidewalk on the east side of 120th Avenue or the East Frontage Road. Municipal water is located in the East Frontage Road to service the properties.

Both State Highway 165 and 120th Avenue are under the jurisdiction of the Wisconsin Department of Transportation or WIS DOT. WIS DOT through access restrictions will limit and approve/permit the driveway locations and access to the development sites. There will be no direct driveway access from the properties to Highway 165. Three shared access points to the east side of the 120th Avenue and two shared access points to the west side of 120th Avenue will be allowed by the WIS DOT as shown on the plans.

We had met with the DOT a couple of times and discussed this through, so this is the project and the access locations that they are willing to approve and permit. Cross access easement agreements shall be prepared for the Village's review and approval and eventual recording through the properties due to the restricted access and to promote uncongested traffic through movement through this area. And, again, these easements are actually already shown on the Certified Survey Map.

The WIS DOT will allow for the East Frontage Road to be closed temporarily during the infrastructure construction to complete sanitary sewer, storm sewer, driveway entrances, median work and pavement milling/resurfacing within the 120th Avenue. In addition, public street trees, boulevard island trees and bushes, public street trees will be installed within the 120th Avenue right of way by the developer.

With respect to developer improvements, public and private improvements which include sanitary sewer, street trees, street lights, again, bushes within the median within 120th Avenue, East Frontage Road, as well as the public pedestrian path and other obligations of the developer and the Village are specified in the development agreement. The agreement unfortunately is being tabled this evening but will be to you shortly. The Tax Increment District TID \#5, Amendment \#1 includes reimbursement of certain costs for the following developer funded projects in The Gateway development. A general listing of the developer obligated public and private improvements in TID 5, Amendment 1 is set forth below. This includes:

- General construction, traffic control and mobilization
- Sanitary sewer construction, six inch, eight inch sanitary sewer main, manholes, risers and backfill and gravel pathway
- Water main construction including eight inch water main with spoil backfill
- Storm sewer construction, remove and reinstall $15,18,36,48,60,72$ inch storm sewer, manholes, inlet covers culvert pipes, underdrains, rip rap, end walls and piping and install and maintain erosion control
- Electrical improvements, relocate electrical pull boxes, relocate one public street light, install 11 new public street lights, and install lighting control cabinet with meter
- Site grading improvements include site grading and paving and restoration
- State Highway 165 improvements which includes relocate inlets, remove pavement and curb and gutter, and install concrete pavement, move signage and other items
- Public street trees and public improvements in the boulevard which also include installing, mulching, staking, these improvements.

Again, this was my attempt to give a good feel for the different project improvements. I'm not saying that this is an exhaustive list, but for the most part I think I capture most of them for you to understand the developer related improvements.
The Village is planning to issue developer revenue bonds, also known as PayGo, Pay As You Go, or municipal revenue obligations to the WisPark, LLC developer, who will in turn provide their own financing for the installation and warranty of the projects as listed. Repayment to WisPark of any developer revenue bonds will be limited, however, based upon the terms set forth in a Village/WisPark, LLC executed Development Agreement to be completed at the time of the project and may include only a portion of the annual tax increments collected in TID 5, subject to the appropriation by the Village Board. To the extent that the revenues collected are insufficient and upon the expiration of the district, the Village will have no further financial obligation to the developer. The PayGo debt instrument is not considered a general obligation of the Village and does not count towards the Village's statutory bonding capacity.

The Village will be constructing a new sanitary sewer lift station to service the remaining vacant lands west of the Des Plaines River between Highway C and the State Line, that's actually 122nd Street, including lands west of I-94 in Pleasant Prairie and Bristol pursuant to the 1997 Boundary Agreement with Bristol. The TID \#5, Amendment 1 will include financial provisions to pay for the installation of the new lift station so that the developer will not need to pay an assessment for the lift station construction. However, the developer will be required to donate the approximated 10,800 square foot of land for the new lift station immediately east of the existing lift station on Highway 165.

The new public street lights installed in 120th Avenue will be added to the LakeView West Street Lighting District with the ongoing street light obligations for the costs for electrical and facility energy and maintenance charges, again, to be borne by The Gateway land owners. And I do need to get some clarification from the developer if this is all included within the LakeView Commercial Owners Association or if they were going to form a separate association. I just do need that clarification.

Comprehensive Plan Amendments, the 2035 Land Use Plan Map 9.9 is proposed to be amended to correctly identify the field delineated wetlands with a field verified wetland land use designation and to correctly show the non-wetland areas in Outlot 1 of the proposed CSM within the Park, Recreation and other open space land use designation. All other land use designations will remain on the property. In addition, Appendix 10-3 of the Comp Plan will need to amended to reflect the noted changes to the 2035 Land Use Plan Map 9.9

With respect to the Zoning Map and Text Amendments, the Zoning Map and the Land Use Plan are required to be consistent, therefore the following Zoning Map Amendments are proposed: the field delineated wetlands within Outlot 1 of the proposed CSM will be placed into the C-1, Lowland Resource Conservancy District. The remainder of Outlot 1 will be placed into the PR-1, Neighborhood Park and Recreational District for storm water management facilities. Lots 1, 2 and 3 of the proposed CSM will remain in the B-6, Freeway Oriented Business Center District.

And all of the properties will be rezoned into the PUD, Planned Unit Development Overlay District. Again, this is on the east side of the East Frontage Road. These areas that have FPO, Floodplain Overlay Zoning District will also remain unchanged.

In addition, a Zoning Text Amendment is proposed to create the Planned Unit Development or the PUD. Community benefits shall be reflected in the ordinance. And the different items they've identified for us: 1) using similar site architectural design, building materials/building colors; 2) coordinating shared signage; 3) installing the same parking lot poles, light colors, LED fixture, heights, bases, style; 4) installing the same parking lot pavement marking colors; 5) installing the same traffic control sign sizes and traffic control poles using the same architecture with respect to the poles and the finials and the color type, style, and size; 6) planting larger and additional amounts of landscaping including the boulevard plantings; 7) installing operational fire sprinklers in all buildings, and this is regardless of the building size; 8) providing for shared cross-access to and through the properties; 9) installing DSIS camera systems and providing DSIS access easements in compliance with Chapter 410 of the Municipal Code for each site development; and finally 10) installing a development monument entrance sign that is shared by the users right at the corner.

At this time, the PUD includes the following dimensional variations of the Zoning Ordinance:

- To require the maximum open space for Lots 1 through3 of the proposed CSM together to be a minimum of 30 percent rather than 25 percent per lot. The approved Master Conceptual Plan illustrates 32.6 percent open space combined.
- To decrease the setback of proposed parking lots, maneuvering lanes from the east property line adjacent to Outlot 1 of the proposed CSM to zero feet rather than the required 20 feet. Again, there's a very large outlot to the north and to the east of this development. And then all of the land to the east is part of the Des Plaines River watershed lands as some of the lands that are owned by the Village of Pleasant Prairie. So that will all be open space and conservancy.
- To allow for a zero foot setback to all interior property lines to allow for shared crossaccess and parking access through and within the parking lots.
- To allow the street setback for a building on Lot 1 of the proposed CSM to be reduced to 50 feet from 65 feet. Again, there will be no direct access to Highway 165.

And then, finally, there has also been a request made to allow for multiple buildings per property under the same ownership similar to what we've done in some of the other projects, the commercial developments in the Village, in order to, say, if they have a retail building and a restaurant so that there could be two buildings on one property. We have some plans that are coming to us this week that could show some various examples of that. But that is a final request of the petitioner that there be at least two to three buildings per property based on the size of the lot.

In the future, when signage sizes and locations have been defined, the PUD could be amended in order to include requests for larger or greater amounts of signage. Obviously we do have some sign regulations that would not be included, tower signs, pole signs, things like that that we would
not modify. But I think what they're getting at is the signage, wall signage and such on the buildings.

As individual sites are proposed to be developed detailed Site and Operational Plans that include site plans, drainage and grading plans, building plans, landscape plans, signage plans and all the other required plans and documents pursuant to the Site and Operational Plan requirement of the Village Zoning Ordinance shall be submitted for each of the individual site improvements. As sites are developed the Conceptual Master Plan will need to be updated to incorporate the detailed plans and shown as part each individual Site and Operational Plan set. Because we always want to make sure that as we are developing these sites one by one that the cross-access, shared parking and all the other requirements that we've set forth work for the development. As sites are developed the PUD, again, may need to be amended from time to time, and that is with the prior Village approval.

In addition, a Digital Security Imaging System or the DSIS shall be required to be installed by each of the proposed users. Pursuant to the security requirements of Chapter 410 of the Village Municipal Code, a DSIS agreement and recorded DSIS access easement will be required to be executed prior to the issuance of any site and building permits unless approved by the Village and separate arrangements are made for the sharing of a DSIS system between users. For example, if there's two buildings per parcel, oftentimes we find that they share a common DSIS system and cameras with only one head room at the DVR.

So with that I'd like to continue the public hearing for these items. Again, the only item that we do not have before you this evening is the development agreement which we are recommending to be tabled hopefully until Monday night, but certainly sometime this month we would like to get it before you. And all of the recommendations are subject to all of the comments and conditions as outlined including my modification of the PUD this evening.

Michael Serpe:
Items H and I are public hearings. Item G is not, but we'll take comments on all three, and these are matters for public hearing. Anybody wishing to speak? Anybody wishing to speak?

## Jean Werbie-Harris:

We'd like the petitioner to come up. Jerry?
Jerry Franke:
Jerry Franke, consultant with WisPark, 6342 Berkshire Lane, Mount Pleasant.
Michael Serpe:
Anything you wish to add?
Jerry Franke:
No. I assume I was called up here [inaudible].

## Jean Werbie-Harris:

So I do have one question. Is it your intent to -- since this is actually part of the LakeView Commercial Owners Association, are you intending to operate under that umbrella? Or are you trying to create a sub-association for monitoring of your particular development and monitoring things and paying for things like street lights and things like that? I didn't have clarification. I just want to confirm that.

## Jerry Franke:

We're creating an entirely new owner's association that will be just for The Gateway to LakeView Corporate Park properties including the ones that are present now in the umbrella organization. We'll be moving all of those into one organization that's dedicated to this area.

Jean Werbie-Harris:
What's your timing of getting some declarations to us?
Jerry Franke:
Oh, we have a declaration. We haven't shared those with you yet?
Jean Werbie-Harris:
No.
--:
Thirty days.
Jerry Franke:
Okay, 30 days. Our attorney is out of the country.
Jean Werbie-Harris:
Okay, so we'll need to get those as soon as possible, and they will need to be attached as an exhibit to the development agreement. So even if we can get a draft of those sometime this week that will be helpful to get those declarations. And then you'll be incorporate a separate association?

Jerry Franke:
Yes.

## Michael Serpe:

Is that coming to us next Monday, the development agreement?
Jerry Franke:
We can get you the draft tomorrow.

## Michael Serpe:

We're going to table the development agreement until Monday, right?

## Jean Werbie-Harris:

At this point. I mean if it's not finished -- I mean we're hoping to get through it in the next week. And then were you drafting some bylaws, too, or not?

## Jerry Franke:

I'm sure we are. The Quarles and Brady folks are always looking out for every legal aspect.
Michael Serpe:
At a small cost. We'll open it up to comments and questions from the audience. And if there's anything you need to answer. Anybody wishing to speak? Anybody else wishing to speak? We'll close the public hearing and open it up for comments and questions.

Mike Pollocoff:
I've got a question for staff. The frontage road the Village improved that originally 28 years ago and it hasn't been paved since. I believe we have about $\$ 150,000$ allocated to that roughly. Are we going to be able to -- I'm sure they're not going to pay us back for it. So are we going to be able to allocate that back into the road aid formula since it's not a Village road? Do you know, Kathy? Okay.
[Inaudible]
Jean Werbie-Harris:
Can you come up to the microphone? We're not picking up.

## Kathy Goessl:

I believe that we can add that. [Inaudible] add all the road cost in terms of construction and road maintenance to our number when I submit to the state.

Mike Pollocoff:
Make sure we can get back -- I mean I think that ends up being 25 percent. It's not a lot, but we can get that back.

Michael Serpe:
Any other comments or questions? We'll take Item G first, and that is the Certified Survey Map. We'll ask that the development agreement be tabled. We'll take that first.

Mike Pollocoff:
I move that the development agreement be tabled to a special meeting next Monday night.
--:
Second.
Michael Serpe:
MOTION MADE BY MIKE POLLOCOFF AND SECONDED TO TABLE THE DEVELOPMENT AGREEMENT UNTIL MONDAY THE 18TH. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Now we'll need approval of the Certified Survey Map.
Jim Bandura:
So moved.
Wayne Koessl:
Second.
Michael Serpe:
MOTION MADE BY JIM BANDURA AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF THE CERTIFIED SURVEY MAP. ALL IN FAVOR SAY AYE.

Voices:
Aye.

Michael Serpe:
Opposed? The ayes have it. Item H, Resolution 18-18 for a Comprehensive Plan amendment. What's your pleasure?
--:
Move to approve.
Wayne Koessl:
Second.
Michael Serpe:
MOTION MADE AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF RESOLUTION 18-18. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Public hearing and consideration of a Zoning Map and Text Amendment. What's your pleasure?

Mike Pollocoff:

I move approval for the Zoning Map Amendment and Text Amendment.
Jim Bandura:
Second.

Michael Serpe:
MOTION MADE BY MIKE POLLOCOFF AND SECOND BY JIM BANDURA FOR APPROVAL OF THE ZONING MAP AND TEXT AMENDMENT. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you.


#### Abstract

J. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS AND DIGITAL SECURITY IMAGING SYSTEM AGREEMENT AND ACCESS EASEMENT for the request of Mark Eberle P.E. of Nielson Madsen and Barber, on behalf of Kwik Trip \# 296 for a proposed $\mathbf{1 0 , 2 8 9}$ square foot gasoline station with a convenience store and a car wash to be constructed on a lot within The Gateway at LakeView Corporate Park development generally located at the northeast corner of STH 165 and 120th Avenue (East Frontage Road).


Jean Werbie-Harris:
Mr. Trustee and members of the Plan Commission, Item J is the consideration of a Conditional Use Permit including Site and Operational Plans and Digital Security Imaging System and Agreement and Access Easement for the request of Mark Eberle P.E. of Nielson Madsen and Barber, on behalf of Kwik Trip for a proposed 10,289 square foot gasoline station with a convenience store and a car wash to be constructed on a lot within The Gateway at LakeView Corporate Park development generally located at the northeast corner of Highway 165 and 120th Avenue, East Frontage Road.

As a part of the public hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's requests as presented and described below. Again, the previous project that we had on the agenda was The Gateway at LakeView Corporate Park. And, again, the second lot in is the precise location where the Kwik Trip is proposed to locate.

Findings:

1. The Gateway at LakeView Corporate Park as discussed during this meeting prior to this item is proposed to create four commercial building lots and one outlot for commercial development to be located at the northeast corner of Highway 165 and the 120th Avenue, the East Frontage Road. See Exhibit 1 identifies The Gateway at Lakeview Corporate Park conceptual plan.
2. Kwik Trip will be purchasing Lot 2, 3.192 acre site, within The Gateway development for a proposed Kwik Trip gasoline dispenser, 24 pump locations and an 11,680 square foot convenience store with an attached car wash. I have a question for Troy because I have two different numbers for the square footage so we'll have to get that clarified, convenience store with the attached car wash. See Exhibit 2 for the Site and Operational Plan including Conditional Use Permit.
3. This fueling station is for automobile and small truck fueling only. This is not designated as a truck stop, and semi-truck fueling is prohibited at this location. Kwik Trip shall identify the means and measures to prevent semi-trucks from fueling at this location as well as discouraging semi-trucks and semi-trailers from parking on the 120th Avenue Frontage Road. And I did discuss this with Troy Mleziva from Kwik Trip, and he can address this as part of his presentation.

Such means shall include at a minimum installing no parking signage on-site and on the East Frontage Road and No semi-truck or semi-truck trailer parking signage on the
property. These signs on the site should indicate that there shall be also no long-term parking or overnight parking of vehicles or parking of large trucks on the site. Parking for customers would be limited to 30 minutes except for employee parking and/or for deliveries.
4. The property is currently zoned B-6, Freeway Oriented Business Center District, and is proposed to be rezoned and placed within a PUD, Planned Unit Development Overlay District. The Zoning Map and Zoning Text Amendment for the specific PUD requirements for The Gateway development as discusses earlier on the agenda will be considered by the Village Board at their June 18, 2018 meeting.
5. The B-6 District allows, with the approval of a Conditional Use Permit (CUP), a gasoline dispenser for passenger vehicles with a car wash facility. Furthermore the facility is allowed to be open 24 hours subject to a renewable CUP for a time period as prescribed by the Plan Commission because this is out at the interstate. The petitioner has requested that based on their past corporate practices for the other three Kwik Trip facilities in the Village, one of which is open 24 hours, and their continued commitment to provide their customers with quality fuel, hot coffee, fresh food, excellent customer service, clean restrooms and clean sites at any time of the day and most recently being named the top workplace by the Milwaukee Journal Sentinel in the larger employer category in all of Southeast Wisconsin as stated in the attached letter, this is See Exhibit 3, that the Plan Commission should allow the facility to remain open 24 hours without the requirement of renewal. Kwik Trip is aware that the Village does have other options to resolve any violations to the Conditional Use Permit including issuance of municipal citations, revoking the Conditional Use Permit or denying a liquor license if those measures were found to be necessary to achieve compliance with local ordinances. Based on this information the Village Staff is confident in recommending that the renewal requirement be eliminated but it should be defined and discussed by the Plan Commission.
6. The following will be required to allow the Kwik Trip store \#296 facility to remain open 24 hours. So if it's open 24 hours:
a. The site will be equipped with fully functioning and operational security cameras outside of the building covering each entrance and exit, all public areas including the dispenser areas, the parking lots and the driveway entrances and exits to the site with a Digital Security Imaging System in accordance with the requirements of Chapter 410 of the Village Municipal Code and the DSIS Agreement.
b. Between 10:00 p.m. and 7:00 a.m. at least two employees shall be working onsite. And I think Troy can address this because I think they have more than two.
c. The parking lot, gas pumping area, building entrances, parking areas and driveway areas and between the buildings shall be illuminated in such a manner to provide sufficient lighting for the public's safety and for the security cameras to operate effectively per the Village's satisfaction.
d. A clear and unobstructed view of the cash registers and transaction areas shall be maintained from the internal site circulation driveway and access roadway. Note
no more than 30 percent of the window area shall be blocked by signage. Products, displays and equipment shall not block viewing to the cash register check out areas.
e. The building shall be equipped with and shall use an inaccessible drop safe.
f. 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 convenience store.
g. The cash registers shall not be left unattended when the convenience store is open to the public.
h. A height strip shall be located at each doorway entering and exiting the convenience store.
7. Pursuant to the B-6 District and liquor license requirements, Class A beer is only allowed to be sold from 8:00 am to midnight, and Class A intoxicating liquor is only allowed to be sold from 8:00 am to 9:00 p.m.
8. The Kwik Trip Owner shall obtain and maintain all permits and licenses required to operate its business. Those permits and licenses allow for the sale of petroleum, alcohol, tobacco, food, and related items sold in its business, issued from the various government agencies. They will need to contact the Village Clerk Jane Snell for the Village liquor or tobacco license applications and to discuss the process to obtain said licenses. Contact the Kenosha County Health Department regarding food related licenses and the community development department for the business license.
9. Pursuant to the B-6 District requirements, deliveries and shipments or any other activities outside the principal building that might cause a disturbance to neighboring areas, I guess we need to talk about that, 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 between 5:00 a.m. to midnight. The staff would support as a condition in the Conditional Use Permit to allow deliveries to begin at 4:00 a.m. instead of 5:00 a.m. until or unless a hotel use is constructed next door to the Kwik Trip, then the hours would revert back to 5:00 a.m. and maybe even a smidge later. But, again, the intent is just not to disturb the residents that might be in a hotel that might be constructed next door. And that might be with the garbage trucks and any other trucks that are backing up with backup beeping.
10. Pursuant to the application 28 employees, 20 full-time and 8 part-time employees, are proposed to be employed at this Kwik Trip facility.
11. Gasoline station with a convenience store requires a minimum of five spaces per each 2,000 square feet of gross floor area or 30 spaces plus one space for each employee on the largest shift which would be 12 spaces plus the required handicapped accessible parking spaces pursuant to the state code. The plan indicates 39 parking spaces including two handicapped accessible parking spaces adjacent to the main entrance. The parking
on-site may provide a few less parking spaces than required; however, the 39 parking spaces does not include the spaces at the pumps which could accommodate an additional 24 cars. Therefore the parking as shown is acceptable. No on-site truck parking shall be provided or allowed as no semi-trucks and no semi-truck trailers shall be parked on the site with the exception of trucks making deliveries to the property.
12. Compliance with the DSIS Agreement and Access Easement is required. The security cameras shall be inaccessible to the employees. Again, the one manager shall have access to the secured location where the DVR is housed. Conspicuous signs shall be posted at the entrance stating that security cameras with an inaccessible recording device is in place on the premises. Said system shall be maintained in working order at all times, and the Village of Pleasant Prairie Police Department shall be promptly provided any requested recorded video pursuant to our agreement. The recording shall be kept in an archive for a minimum, and that's incorrect, it should be a minimum of 30 days. It's four weeks that the PD requires. And PD shall have remote live-web access to the system to monitor and download that video.
13. The property owner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on May 17, 2018, and notices were published in the Kenosha News on May 28 and June 4, 2018 regarding the public hearing.
14. The petitioner received a copy of this staff report via e-mail on June 8th. And we have had actually some phone conversations since that time to talk about the staff report.
15. According to the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials and information presented at the public hearing this evening that the project as planned will not violate the intent and purpose of the Village Ordinances and meets the minimum standards for granting of the Conditional Use Permit. In addition, the Plan Commission shall approve any site and operational plan after they find in their decision that the application coupled with satisfaction of any conditions of approval will comply with all applicable Village ordinance requirements and will comply with all other requirements of applicable federal, state or local statutes, regulations or ordinances.

With that, I'd like to introduce Troy Mleziva from Kwik Trip and maybe get a few things clarified and further explanation that the Plan Commission may need.

Troy Mleziva:
Thank you, Jean. Mr. Chairman, members of the Plan Commission my name is Troy Mleziva, Real Estate Development Manager at Kwik Trip, address 1626 Oak Street, LaCrosse, Wisconsin. Thank you for the time this evening. I guess, Jean, as a point of order on the square footage I believe that the 10,000 --

Jean Werbie-Harris:
That's the correct number?

Troy Mleziva:
-- number is accurate. I'm not sure where the 11,000 number came from. I guess just a quick summary. I think Jean did a good job presenting kind of the overall project plan. We thank our development partners WisPark for presenting this site to us. We'd like to be of service in this growing corridor. As I don't have to tell you folks obviously you have a lot going on out here, and we're excited to be a part of it.

With this facility obviously being on an interstate-type interchange location our customers would expect that it would be a 24 hour location. We don't want to go against kind of our standard that we have. People traveling the interstate expect us to be available whenever we can be of service whether you're on your way to O'Hare to catch that early morning flight and you want to fuel up before you get down there, or you're traveling or coming back to Wisconsin from trips out of state. We want to be available.

So with that we do have experience as Jean mentioned with some of the conditions we received recently for our staff being kind of voted top workplace in all Southeast Wisconsin where our folks are top quality and that they can provide that good customer service and manage the facility 24/7, 365 and do it well and to the Village's standards.

Michael Serpe:
Troy, before I open it up for public hearing I have a question for you. Brand new gas station, electric vehicles there are more and more of them, hybrid vehicles. We're not offering a charging station out there?

## Troy Mleziva:

We don't have that at this point. I think with the facilities that we're building we're building in the size and scope to be able to do that type of thing. Right now it seems that the charging market from my understanding, and I'm on the real estate side, seems to be more of where you'd have it in an office environment or [inaudible]. I think there's some Tesla chargers down at the outlet center where you would be shopping for several hours. Right now we don't have that type of quick charge where people could get in and get that charge at our facility. It seems to be more of a better fit that maybe an office building or something or at the outlet mall where you're parking for a little bit.

## Michael Serpe:

Okay, that could be changing but thank you. We'll ask you to come back up if we have any questions from the audience.

Jean Werbie-Harris:
I have a few questions.

## Michael Serpe:

Go ahead.
Jean Werbie-Harris:
So that number, that 11,680 , that was written on your plan set. So we just need to make that correction to your plan set because your correct number is 10,289 ?

Troy Mleziva:
That should be correct, yes.
[Inaudible]
Troy Mleziva:
I believe the total should be with the car wash would be the 10,000 square feet. We can double check that just to make sure.

Jean Werbie-Harris:
Just so we have the correct numbers pm each of the documents. And then between 10 at night and 7 in them morning how many people do you typically have, how many employees do you typically have working that third shift?

Troy Mleziva:
The absolute minimum would be two. I mean we typically have more than that especially when you're talking the early morning hours. Four o'clock, five o'clock we're getting ready for our busy commute time in the morning. So we typically have I would say north of five folks on staff at that time. And then depending on, too, when our delivers come in we could have more folks unloading the truck and getting with the product for the next day.

## Jean Werbie-Harris:

So the only other thing that I wanted to kind of address was the delivery times. Again, the biggest concern I have especially when I stay at a hotel is the last thing I want to hear at four in the morning is backup beeping of delivery vehicles and waking me up. So that was something that we've always had, we have it at all the other locations. And can you walk me through the delivery times, and would that be adjusted? Or can they not be baking? I don't know. I just don't' want it to be an inconvenience to any hotel if there is a hotel just to the north of you for any of the people who stay there.

Troy Mleziva:
Since we do the majority of our own deliveries for our grocery product and our own fuel we have the ability to control that so that we can coordinate and dispatch those folks at certain times. That would make sense. With the stores we have in town we may be having our own dedicated truck
for just the Pleasant Prairie stores with the amount of volume we have. So I think that's something that we could definitely look at in terms of how to make that effective so that we're fitting in the neighborhood. Our idea is to be -- we're going to want our site long term, we want to be good neighbors and do what we can to be receptive to that.

## Jean Werbie-Harris:

So initially do you need deliveries at four, or do we want to start with five right away, or what would you like.

Troy Mleziva:
I would say if you could give us the flexibility to do four. And then we can obviously if there's future development to the north if there's a hotel that's adjacent we'd obviously be willing to be good neighbors and look at that. Right now there's nothing there so obviously if we could get the flexibility to look at it and schedule it.

Jean Werbie-Harris:
That's what I wrote into the staff comments. And then one of the things that I need the Plan Commission to discuss, because what they're requesting is, and basically the way it's written into our ordinance is that it's subject to the time period as proscribed by the Plan Commission as to how long that 24 hours can be permitted for. Is it one year, two year or based on Kwik Trip being in our community, they have another 24 hour store. Is the Plan Commission willing to grant them an immediate 24 hours without there being any restriction on the time frame?

Michael Serpe:
We can discuss that. You want to do it now?
Jean Werbie-Harris:
And I'd like him to stay here to be able to answer the question. Mike or anybody have a comment?

Mike Pollocoff:
Which store has 24 hours right now?
Jean Werbie-Harris:
The former PDQ was grandfathered in.
Mike Pollocoff:
So you guys have had that for how long?

## Jean Werbie-Harris:

October of 2017.
Mike Pollocoff:
And did we any prior problems with the previous operator?
Jean Werbie-Harris:
No, not with PDQ and not with Kwik Trip.
Jim Bandura:
I think you have a charging station on the south Kwik Trip one, it's by the car wash. So you may want to at least replicate it on this one. And, Jean, any recommendations for it being 24 hours because it's out by the I. I don't --

Jean Werbie-Harris:
My recommendation is that based on everything I read into the record our experiences with them at their other locations and at the 24 hours that we have not had any issues or concerns with Kwik Trip. Obviously we are also asking them to be self-monitoring with respect to semi-truck traffic and things like that because that's the only thing I would have been concerned about. And they have been working with me to design special signs and things like that. We might have to post the frontage road as no parking and things like that. They actually have a much larger store, and maybe you want to talk about that, in the Village of Somers that will really address your traffic.

Troy Mleziva:
Yeah, I guess I won't speak publically about that, but I think we're in agreement that we can make this a facility that's not a truck fueling.

Jean Werbie-Harris:
They have another site that will be more of a truck site.
Michael Serpe:
Is there hourly restrictions on the BP?
Jean Werbie-Harris:
There are right now, that's correct.
Michael Serpe:
And what if they request 24 hours?

## Jean Werbie-Harris:

It's a case-by-case basis. They have not been 24 hours for several years now. Sometimes they close at nine, sometimes they close at ten, and sometimes they close at eleven. So it seems like it's been a little inconsistent. So I think it really depends on when they have employees available so that has been pretty flexible. But they have not requested so I'm not sure -- I know that this evening they're requesting to have a continual Conditional Use Permit, but they have not asked for 24 hours. And I'd have pause because we haven't had 24 hours there in a while.

## Michael Serpe:

I wouldn't object to the 24 hours, but I would also like it kept open for us to revoke it if we see --
Jean Werbie-Harris:
Well, you have that right. You have the right. If things really --
Wayne Koessl:
We have that right.
Jean Werbie-Harris:
Right, you have that right to revoke the Conditional Use Permit, to issue municipal citations or to deny a liquor license if there's ongoing legitimate violations of the Village ordinances due to problems that develop on the site.

Michael Serpe:
My only other thought is we've had others make application to the Village for 24 hour service and we denied them. I don't know if we're going to be opening up a Pandora's Box here by doing this now.

## Jean Werbie-Harris:

The B-6 District does allow it with a Conditional Use Permit. But I think that you have to look at each case, each situation on a case-by-case basis and the facts that have been presented, the corporate business that's coming before you and if there have been other problems at other stores. And they took it over instantly. Basically one day it was PDQ, the next day it was Kwik Trip still with PDQ signs. And we have not had any issues or concerns.

Jim Bandura:
As far as the 24 hour I'm not opposed to it. And being so close to the on and off ramps on this, it just seems kind of logical to have the 24 hour. I mean if you want to put a condition on it on a yearly basis, yeah.

## Jean Werbie-Harris:

That's exactly what they're not requesting. Due to the investment that they're making they're asking that it not be a yearly renewal for their particular use at this location.

Jim Bandura:
And we have the option. If staff comes in to having a problem we have the option of revoking that particular condition, correct?

Jean Werbie-Harris:
We do.
Mike Pollocoff:
That is not a simple process --
Jean Werbie-Harris:

It is not.
Mike Pollocoff:
-- for revocation. So if we say we can revoke it, it's true we can start the process, but you think about the revocations we've had before they've been lengthy and difficult. I'm really not troubled with Kwik Trip having a 24 hour operation. I'm a little concerned about uniformity and how we apply this locally so that we don't get in a position where we're being arbitrary in how we're handing these out and not having somebody that is saying that they're not being dealt with fairly. I guess as a compromise I'd be willing to say that we have a one year trial period, and at the end of that one year trial period if everything went okay then the request they're making tonight which is not to have that yearly review then we go from that point forward.

I think we have somebody else on the agenda tonight that we've been running revocation on as far as their 24 hour operation as well. And so that's my only concern. And I don't know if staff has picked up a legal opinion that or not. I know we have the authority to do it case-by-case. But I think when it comes down to equal treatment of petitioners that come before us I'd like to make sure that we are going to say that we're treating everybody equally. But the whole process of this is to weigh whether or not somebody is better at their business than somebody else is.

## Wayne Koessl:

Isn't this one a little more unique being on 94 and 165 and the 24 hour traffic that they're going to generate.

Mike Pollocoff:
Yeah, it's unique. It's also unique in the sense that --

## Wayne Koessl:

Because on CUPs we usually grant with the petitioner once when they come in here. The staff works with them on an hour basis and that's what we approve. So I see nothing wrong with 24 hours there. We can always bring them in and change it if there's a problem.

## Jean Werbie-Harris:

So just to clarify BP was issued a 24 hour Conditional Use Permit initially by the Village, and it ran with that 24 hours for several years. It was not until repeated violations over and over and over that we were either going to revoke the Conditional Use Permit altogether or we cut them back to like a 12 or whatever, cut them back from a 24 hour operation. They have not come back since to request anything towards that 24 hours. And, in fact, like I said I haven't seen the store not even open past ten o'clock at night where they could have gone to midnight, and they could be open at five. So we did treat them fairly initially with respect to their request for the 24 . And, again, it was only after repeated violations that we cut that back. We have not denied anybody else a 24 hour CUP out at the interstate. There have been no other applications.

Michael Serpe:
I just worry about what the future may bring as far as others making the same application. I have no problem with Kwik Trip running a 24 hour operation especially on the interstate. It's just that others are going to come forward and ask for the same thing. We've just got to be prepared to either deny or grant them their request.

Jean Werbie-Harris:
Well, they'd have to be on the interstate, and they'd have to be in that B-4 or B-6.
Michael Serpe:
The PDQ is not on the interstate.
Jean Werbie-Harris:
That was from 1997, and that was grandfathered from 1997.
Mike Pollocoff:
Does the ordinance allow 24 hours on the interstate?
Jean Werbie-Harris:
It does.

Mike Pollocoff:
But nowhere else?
Jean Werbie-Harris:
Right, correct, nowhere else with a Conditional Use Permit.
Jim Bandura:
Jean, an example of that isn't that one that's on the frontage road at Highway 50, now Mobile right across the Walgreens, isn't that 24 hours?

Jean Werbie-Harris:
I don't know. To be honest I don't know. It's been there since it was a Clarke station.
Wayne Koessl:
East of Walgreens there.
Jim Bandura:
Right.
Jean Werbie-Harris:
I don't know. They have been there long before the 24 hour requirement, that gas station.
Wayne Koessl:
I think they are 24.
Jim Bandura:
I thought they were, too.
Jean Werbie-Harris:
It could be. Then they would be grandfathered in as well. I mean it's been there longer than the 30 years that I've been here so I'm not sure.

Jim Bandura:
But what I'm getting at is the proximity of the closeness to I-94.

Jean Werbie-Harris:
Right, that's considered -- because it's on the frontage road to the interstate and that's why it's an opportunity to be 24 hours.

Michael Serpe:
We have the ordinance that allows it. We have then already operating. Let's get to the public hearing. Anybody else?

Nathan Thiel:
Jean, just for clarification is it only for convenience stores or would it also --
Jean Werbie-Harris:
It's just gasoline stations.
Nathan Thiel:
Okay, so other retail stores would not have the same 24 hour?
Jean Werbie-Harris:
No.
Michael Serpe:
Just gasoline, and no going into the store for a pop or chips?
Jean Werbie-Harris:
The gasoline/convenience store for Kwik Trip --
Michael Serpe:
It's more than just -- okay.
Jean Werbie-Harris:
Yes. I think he's talking that there would be a separate convenience store for some reason that popped up.

Michael Serpe:
All right. This is a matter for public hearing. Anybody wishing to speak? Anybody wishing to speak? Thanks, Troy. We'll close the public hearing and continue our conversation up here. Brock?

## Brock Williamson:

My only question is this the same size as the other footprints you've been building recently around here?

Troy Mleziva:
It's actually slightly bigger. So our last store to the east that one is about 6,000 square feet. The one up on Highway 50, the newest one would be roughly about this size, the one built in Prairie Ridge.

John Skalbeck:
Do you have an estimated time when you'd have this built and completed?
Troy Mleziva:
We'd like to have it open in 2019, exactly how early we can get that is exactly to be determined. But as soon as we can get to the process and get our bids out and get somebody lined up to build it. WisPark has got some work to do on the site to get it kind of a [inaudible] site to us. So sooner the better for us.

Jim Bandura:
I have a question to staff. During their construction are they looking to close the frontage road during their construction of the Kwik Trip.

Jean Werbie-Harris:
Not during Kwik Trip's construction, but my understanding is that the developer has requested the DOT if during the resurfacing and the reconstruction work that is being done on the East Frontage Road could that be closed temporarily to assist the contractors.

Jim Bandura:
Okay.
Jean Werbie-Harris:
Again, I think their intent is to try to coordinate that activity with the Kwik Trip activity. Maybe Jerry can respond.

Jerry Franke:
Jerry Franke, WisPark. Actually WISDOT has already approved that because of the grading, utility work, things like that. We're going to keep it to a minimum. We've accommodated the triathlon I believe it is so we want to get it closed and opened as quickly as possible.

Jim Bandura:
Okay, that's on the frontage road. What happens at Highway C and the frontage road, is there going to be any directional signs, any detour signs?

Jean Werbie-Harris:
Absolutely.
Jerry Franke:
Whatever WISDOT requires we'll have to have our contractor do.
Jim Bandura:
Good.
Michael Serpe:
Okay, comments or questions, recommendations?
Mike Pollocoff:
I'll move we approve the Conditional Use Permit with the requested modification to allow 24 hour operation without a one year limitation on the permit to operate 24 hours.

Bill Stoebig:
Second.
Michael Serpe:
MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY BILL STOEBIG FOR THE APPROVAL OF THE CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Welcome, thank you.
K. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS AND A DIGITAL SECURITY IMAGING SYSTEM AGREEMENT AND ACCESS EASEMENT for
the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for Michael Willkomm, who intends to purchase and redevelop the Truesdell Plaza property located at 8531 and 8601 75th Street. Specifically the gasoline facility building, canopy and gasoline pumps will be removed and a new Rocket Wash facility will be constructed. The existing western multi-tenant building on the site currently occupied by Merlin Muffler and Martino's Master Dry Cleaners will remain.

Jean Werbie-Harris:
If we could take $K$ and $L$ at the same time.
L. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT for the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for Michael Willkomm, who intends to purchase and redevelop the Truesdell Plaza property located at 8531 and 8601 75th Street to repeal the Truesdell Plaza Planned Unit Development (PUD) and create a new PUD for the redevelopment of the site.

Michael Serpe:
Separate motion on both.
Jean Werbie-Harris:
So Item K is consideration of a Conditional Use Permit including Site and Operational Plans and a Digital Security Imaging System Agreement and Access Easement. And this at the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for Michael Willkomm, who intends to purchase and redevelop the Truesdell Plaza property located at 8531 and 8601 75th Street. Specifically the gasoline facility building, canopy and gasoline pumps will be removed and a new Rocket Wash facility will be constructed. The existing western multi-tenant building on the site currently occupied by Merlin Muffler and Martino's Master Dry Cleaners will remain.

And the second item, Item L, consideration of a Zoning Text Amendment for the request of Mark Eberle, P.E. of Nielsen Madsen and Barber, agent for Michael Willkomm, who intends to purchase and redevelop the Truesdell Plaza property located at 8531 and 8601 75th Street to repeal the Truesdell Plaza Planned Unit Development (PUD) and create a new PUD for the redevelopment of the site.

Again, these items are related and will be discussed at the same time with separate actions being required.

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

Findings:

1. Michael Willkomm has purchased and intends to redevelop the Trusedell Plaza property located at 8531 and 8601 75th Street and to remove the gasoline facility building, canopy
and fueling stations and underground fuel tanks and construct a new Rocket Wash facility. The existing western multi-tenant building on the site that is currently occupied by Merlin Muffler and Martino's Master Dry Cleaners will remain.
2. The property is currently zoned B-2, Community Business District, C-1, Lowland Resource Conservancy District for the wetlands that are on the rear of the property, and the entire site is located within a PUD, Planned Unit Development Overlay District. The existing Truesdell Plaza Planned Unit Development is being repealed, and a new PUD for the redevelopment of the site is being created and as further discussed below.
3. See Exhibit 1 contains a copy of the Site and Operational Plan including the Conditional Use Permit Application as well as the Plans and the Zoning Map Amendment Application.
4. The B-2 District allows, with approval of a Conditional Use Permit, a car wash facility and the existing Merlin Muffler, an automotive repair shop.
5. This new car wash facility will allow customers to stay in their vehicles as they are being washed. The total wash time is approximately two minutes. After the vehicles exit the car wash building their will be 20 vacuum stalls for their use on the site east of the building. This will be the third facility in the area. Their first facility is located on Highway 31 in the Racine are. A second facility is being constructed on Highway 31 and 158 in the City of Kenosha. And the third facility would be here in Pleasant Prairie.
6. The gasoline facility is currently closed, and the other two tenants within the building, Forward Transport and Regal Limousine Services, will be if they're not already vacated from the building in June 2018 prior to the razing of the building and canopy and fueling facility.
7. The property has a number of active Conditional Use Permits including CUP \#01-14, CUP \#01-14, as amended which allowed for gasoline facility, retail sale of pool supplies and equipment and Merlin Mufflers, and CUP \#14-01 for Forward Transport and Regal Limousine Services. Exhibit 2 has a copy of each of these current Conditional Use Permits.
8. These Conditional Use Permits, the ones that I had just mentioned, \#01-14, \#01-14, as amended and CUP \#14-01, will no longer be valid for this site and the new Conditional Use Permit will include all conditions for the entire property. If the owner, would like these recorded documents to be removed from the property title a written request to release the documents shall be submitted with the required application fee for the Village to prepare the release documents. Once the release documents are prepared the owner will be responsible for recording said releases at the Kenosha County Register of Deeds Office.
9. The car wash facility is proposed to be open from 7:00 a.m. to 9:00 p.m. Monday through Saturday and 7:00 a.m. to $8: 00 \mathrm{p} . \mathrm{m}$. on Sundays. The facility may be closed on certain holidays.
10. It is estimated that there will be an average of about 300 vehicles entering facility per day.
11. Pursuant to the application 20 employees, 15 full-time and 5 part-time employees, are proposed to be employed at this facility. It is anticipated that there will be two to six employees during the hours the facility is open with the largest number at any one time of six.
12. The other uses on the site that will remain include Merlin Muffler which occupies 3,850 square feet with seven employees according to their business license and Martino's Master Dry Cleaners which occupies 1,000 square feet with three employees according to their 2018 business license.
13. The plan indicates that there will be 48 parking spaces including four handicapped accessible parking spaces to service all uses on the property and 20 spaces for vacuuming and cleaning cars after they exit the car wash. Nine parking spaces including two handicapped accessible parking spaces are provided on the north side of the building for Merlin Muffler and Martino's Dry Cleaning. In the rear of this building there are additional 19 parking spaces for employees of all three uses on the site. Pursuant to the Zoning Ordinance the a minimum number of parking spaces for each use is noted below plus the required handicapped accessible parking spaces pursuant to the state code are required on the site

- So first the car wash facility or the Rocket Wash one space plus one drying space plus two stacking spaces per washing space; a washing space is not a parking space; each drying or waiting space shall measure at least not less than 20 feet in length. Based on the layout of the facility there are three lanes to enter the car wash facility with stacking lanes the entire length of the building or approximately 130 feet and 20 spaces at the exit of the car wash building that allows for drying and vacuuming cars, and a maximum of six employees will be working during any one time on the site.
- Second, the automobile repair, the Merlin Muffler, will have six service bays, one space for each service bay and a mechanic, minimum of ten spaces required.
- And Martino's which is a service use one space for each 200 square feet of floor area or a minimum of five spaces required.

The amount of parking provided on the site is adequate to service the uses of the site.
14. The site shall be equipped with fully functioning and operational security cameras outside of the building covering each entrance and exit, all public areas, the parking lots as well as the driveway entrance to the site with the DSIS system pursuant to the requirements of Chapter 410 of the Municipal Code and the DSIS Agreement. Exhibit 3 is a draft of the DSIS Agreement as well as the Access Easement.
15. Access to Highway 50, the long range plan of WISDOT pursuant to the Access Management Plan is provided as Exhibit 4. We've also got an aerial photo that we're
going to talk about in a few minutes that talks about the existing median and access to the site and the adjacent sites on Highway 50 that are proposed to be modified by the DOT.

The Plan indicates that the full median turning access will be eliminated and no left turn from the site onto Highway 50 will be allowed in the future. In addition, one shared access will be provided to the Willow Pointe Plaza. That's the retail service development to the east. This one access will also provide access to the property to the west. The site has provided cross-access to the properties to the east and west adjacent to Highway 50 and will provide a second cross-access on the south side of the property to the west. The cross-access easements have been recorded in 1995 and 1999.

And Exhibit 5 is a copy of the cross-access easements. Again, the one cross-access easement that has not been obtained yet, again, is the one for the property to the west between this property and Highway H because that property has not yet been developed. The uses on that property have all been razed but it's a vacant site where the Earl's Club and the insurance building used to be.
16. Zoning Text Amendment: On November 5, 2001, the Village Board adopted the Truesdell Plaza Commercial Planned Unit Development \#01-47, and that's provided as Exhibit 6. This existing PUD Ordinance is proposed to be repealed, and a new Rocket Wash/Merlin Muffler/Martino's Dry Cleaning PUD Ordinance for the property is being proposed. The new PUD Ordinance as identified as Exhibit 7 includes existing requirements that are still applicable to the site and new requirements base on the new development plans.

The following dimensional variations included in the new PUD Ordinance:

- Two principal buildings will be allowed on the property, the old PUD allowed for three.
- A detached trash enclosure will be allowed for the car wash building and the other building's trash enclosure will remain attached.
- The existing PUD to be repealed allowed the for a zero foot setback to the east property line. This is being amended in the new PUD to require a minimum setback of three feet. There is existing green space on the adjacent property that will remain. The new PUD will also allow a ten foot setback to the west property, 20 foot to the rear property line, and we just have to verify the setback to the north property line at Highway 50. And this needs to be verified on the plan set and then included in the PUD.
- The existing PUD to be repealed allows for Merlin Muffler space not exceed 130 square feet and Martino's space not to exceed 20 square feet of total aggregate permitted background commercial advertising signage area. The new PUD will allow Merlin Mufflers and Martino's to have the same amount of signage and will allow Rocket Wash to have 150 square feet pursuant to the current sign requirements.
- Verification related to the setback of the primary monument sign-if this is closer than 15 feet then we'll need to address it in a PUD. If they removing that sign all together, and I just need to clarify that, then we need to see exactly what that setback is. But I just have a few questions to ask Mike.

As a result of these modifications, the Village will require that cross-access be maintained to the properties to the east and for the future development to the west as shown on the plans.
17. The property owner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on May 24, 2018 and notices were published in the Kenosha News on May 28th and June 4, 2018 regarding the public hearing.
18. The petitioner received a copy of this Village staff report via e-mail on June 8, 2018.
19. According to the Village Ordinance, the Plan Commission shall only approve the Conditional Use Permit as well as the Site and Operational Plans if they find after viewing the findings of fact, the application and related materials and information presented this evening that the project as planned will not violate the intent and purpose of all Village ordinance and it meets the minimum standards for granting of a Conditional Use Permit as well as having the Site and Operational Plan application coupled with the satisfaction of any conditions of approval that it will comply with all of the Village zoning ordinance requirements as well as all other ordinances of the Village, the federal, state or any other local statutes pursuant to the entire site's development as presented in the staff comments.

With that I would like to continue the public hearing. I do have a couple of questions that I would like to ask to Mike Willkomm who is here in the audience regarding the site. And we did have some questions that had come up from some abutting property owners, and I would like to address some of those questions as well.

Michael Serpe:
Mike, name and address.
Mike Willkomm:
Mike Willkomm, 11904 28th Avenue, Pleasant Prairie. I'd like to first of all say I don't want to be open 24 hours. I want to go home at nine o'clock every night. And you've got my name on everything, but my brother Jim Willkomm is my partner. And if I go down he goes down with me so this isn't just my project. We want to build the prettiest car wash in all of Wisconsin right here in Pleasant Prairie. Isn't that a beautiful building? So what questions can I answer for you?

Jean Werbie-Harris:
So the first question I have comes from your neighbor to the east. And he had some concerns with respect, and Peggy's going to highlight this area. And I actually have photographs that I can share with the Plan Commission. There were some questions regarding the landscaping. And, again, before we had a zero lot line setback because we were doing this all at one time between
this development and the east. They're going to increase that a little bit to three feet. But there is a green space separation, and Peggy is going to identify this area which is between Rocket Wash and Willow Pointe Shopping Center.

And there's quite a bit of landscaping. I did have it attached to my stuff here, but I don't have it anymore now, that they have quite a bit of landscaping, large bushes and trees all along this particular area. There we go. And there are a couple of gaps in the landscaping, but it was by design that we had some gaps so that you could kind of see through the development. And so what the developer has been asked to do is to plant some additional trees and hedgerows or something to help block any additional noise that might come from the vacuums at this location.

And, again, there's some pretty large landscaping there, but Mark Bourque has spoke with Mike, and I think that they have agreed in principle, just we need to get a landscape plan, but they've agreed in principle that Mike would plant some additional plantings to help buffer any noise from the vacuums. And Mark just indicated to us that he'd be willing to grant easements to Mike in order to maintain and do that planting. I've also pointed out to Mark Bourque that the traffic on Highway 50 is very, very loud. And so I don't know that his vacuums will be louder than all the traffic on Highway 50. But he has asked, they have agreed, and that's not all within the staff comments. So I need that to all be put as part of the public record.

And then the next thing I would like to ask some questions for Mike, and this has to deal with access and entering of the site. So we need to go back to those slides. So, Mike, if you would could you explain your site and why you had picked the direction of the car wash to be in this direction? What is a typical 95 percent of the time with respect to your traffic coming to your site, and what you will do in five percent of the time when it's not?

Mike Willkomm:
It's more like 99 and one.
Jean Werbie-Harris:
Okay, 99 and one.
Mike Willkomm:
I'll take you through it. First of all, this whole concept of this type of car wash is new to this market. So customers are a little -- well, what we've found is they're not used to it. So what we've learned is you have to make the entrance very visible to them. You have to make it very clear so when they're on the road they know where they're supposed to go. So this canopy that extends, it's on the south end of the building, it's where the three lanes of traffic all end, there's a canopy. And on that canopy, I guess you could pull up that first picture of our site in Racine, and it's kind of hard to see, it's kind of small.

But there's three lanes that come in. And the lane that's closest to the building is for a person. The second lane is an auto cashier. If you don't want to see anybody you can go to a machine and type in your number or enter your credit card. And the third lane is for the unlimited club members only. What we've found is in a very short period of time those lanes even out very
quickly. About a third of our business are club members, about a third of them like to see our smiling faces, and a third of them just want to get into a lane and tap their phone or use their card and get through it.

So we needed that car wash entrance canopy to be visible from the road so that there's no confusion out of customers where do I go to enter this wash. What we've learned, and Jean can attest to this, my goal is to get someone like Jean to feel comfortable going through this wash. She's admitted to me that she doesn't like car washes. So my goal is to get Jean to go through this car wash.

So then the next thing that we've done is when you -- go back one more time. There's a map that shows the actual site plan. Something we learned from Mt. Pleasant was that our loop, that after you clear the canopy now and you make the loop into the car wash in our location in Racine we could only get four cars in this drawing or this site plan we can get eight. And that allows us to keep the flow going into the car wash consistently.

We're built for speed. So what you'll also notice, now you can go to the pretty pictures, the conveyor belt is a three foot wide conveyor belt. They're not a chain and roller on this. So we don't have to wait for a roller to pop up for the next car to come in. As soon as one car loads we can get 18 inches in it from bumper to bumper. We can just go one right after the other right after the other. So that allows us to process cars quickly and not have a big backup. So in our stacking with the three lanes of traffic and the eight in the short loop we can get 41 cars before we are backed up to the road.

We have found at our location in Racine, and we have essentially the exact same footprint for the wash and the vacuums and the stacking that we do in Racine, and in the last year and a half there's been three or four days where we've extended the line past the end of the building. And what we're proposing in that situation when we do have that, when we're that busy and it's that perfect day in February or March where it's sunny out and it's 40 degrees and everyone's car is white with salt, it kind of has to be a perfect scenario, when you get those days then we put somebody outside. We put them and we direct them around.

And in this case the red arrows will show you we're going to direct cars around the Merlin building and then back up. And the little dots at the end of our building indicate cones. And, again, this is only for three or four days a year. And there's a person there directing people go around the building and then come back up and loop in. So we're able to stack another 20, 25 cars beyond the 41 cars at that point. If it's that busy cars aren't going to stop. They're just going to keep on going. But I just wanted to show that there is a way if we've got that perfect scenario and it's super busy we've got a way to handle that traffic.

## Michael Serpe:

Jean, do you have anything else?

## Jean Werbie-Harris:

So I just wanted to talk about this a little bit and maybe even Matt can help me with this one as well is that this the State Highway 50 DOT plan for Highway 50. Again, this is going to be in

Phase 2 as opposed to Phase 1. So that brings us to 2020 or 2021, 2021 for the reconstruction of Highway 50. But as you can see, the state is really looking to do a lot of manipulation with respect to these driveways. Currently we have a full in and out that serves both Willow Pointe and this particular property which is on the east side where is says full in, right out. But it also allows for an open median to go left out of this development.

Well, what's going to happen by 2021 is that that's going to be reduced down as a full in right out. The entrance, the further entrance to the west is going to be removed as noted. And they're going to be doing these channelized left turn bays out into the highway, but it's not going to allow for a left coming out. So it will change the dynamics and the geometrics for this area. Because right now people are used to coming in at two different locations at very close distance from one another.

And then the next plan shows exactly how the Highway 50 plan was laid out back in 1987, and then had been renewed over the last basically 30 years as to how the DOT wants to see traffic movement occur south of 50 and east of H . And over the years even in 1994 when we approved the Truesdell development they required at that time that there be a cross-access provided on the north end past the Truesdell property and on the south end.

You can see there's two arrows that Peggy put up there that shows that cross-access will go back and forth between Willow Pointe, through this development, through Merlin Muffler and then to the property to the west which was the Earl's Club and the insurance company. And what the DOT had identified is that there would be two ways to go west, and then there would be an opportunity for a right in right out on H .

Or a secondary possibility which we had talked about many, many times with the DOT was whether or not there could be an access that aligns with 76th Street. Obviously a lot has changed in almost 30 years with respect to the availability and ability to fill wetlands. But ideally that would be the best way to come out of this area is to align with 76th Street directly across because that's a full median opening. When they reconstruct H there's going to be a boulevard or a median down the center of that. So the only option initially would be a right in right out. There wouldn't be an opportunity to go eastbound on Highway 50 southbound on H and then into the development unless you were all the way down at that access point.

So, again, when we were looking at this development and the property to the west and the property to the east these are all developments that have to work with each other. It's no different than how we set up Prairie Ridge. I mean obviously if you look at even Kwik Trip I mean they have one way to get into their Kwik Trip, and they're still doing very, very good directly across the street. The key is that there's going to be cross-access through these properties. There's going to be cross-access to maintain good flow of traffic and to make sure that people can get in and out of the site.

The property to the west will depend on going through this property to get to Highway 50 for some people. And some people from this development will eventually need to criss-cross and go through, but this development is intended to develop before the property to the west. So obviously with the full access that they have at Highway 50 I think that eventually everyone will learn where the best way is to get in and out of the site. I don't think everyone from one
development will go through this development, and I don't think everyone from this development will go through that development, but there needs to be opportunities to get in and out.

I think the biggest challenge will be probably when Highway 50 is under construction. But that's why these cross-access easements and cross-access through these properties are so critical for all these developments. It's not intended to hurt any one development, but it's intended to benefit all the developments out there.

## Michael Serpe:

What if the property to the west of Mike's doesn't develop prior to the reconstruction of Highway 50 ?

Jean Werbie-Harris:
What do you do, Mike?
Mike Willkomm:
I pray. We're willing to take that chance. I know it's been kind of slow around the Village, but we're thinking things are going to pick up around here pretty soon.

Michael Serpe:
Anything else, Jean?
Jean Werbie-Harris:
No.
Michael Serpe:
Mike, while you're there, the Racine Rocket Wash very successful. Any complaints with noise with anything from the neighborhood?

Mike Willkomm:
No, we haven't received anything.
Michael Serpe:
Nothing. Three hundred cars a day, isn't that a little underestimated?
Mike Willkomm:
If we hit 300 we get to stay in our homes and the bank doesn't repossess anything so we're okay.

## Michael Serpe:

Okay. We'll open this up to a public hearing. Mike, if there's any questions anybody has we can call you back up. Thank you. This is a matter for public hearing. Anybody wishing to speak? Mr. McTernan?

## Michael McTernan:

Michael McTernan, Attorney with Alia, DuMez \& McTernan, 6633 Green Bay Road, Kenosha, Wisconsin 53142. I do represent the property owner to the west. And my client has significant concerns about the issues of how the project is going to flow and work given the fact that for the last three years in a very informal fashion DEKK Property Development that owns three different parcels on the corner of H and 75th Street has floated various ideas on how they plan on developing the site.

Obviously the Village I'm sure wishes to come to my client and have them grant access rights to be able to relieve the flow of traffic when you have 300,400 cars a day stacking up on the site. But my client's in real no hurry to produce or develop the entire site. And moreover at a time when he looks to develop it one of three things he's looking to do. He's either going to combine it all into one parcel and build something that doesn't require a PUD; he's going to build a -- he actually has floated out and has provided to the Village his own car wash that he had planned for the site, and he doesn't need the cross-access easement. Doesn't need to develop the parcel that stands between where Earl's Club is and Merlin Muffler Shop.

In that context a lot of this is causing concern to him because the owners of those sites doesn't know how you're going to easily deal with traffic flow going onto Highway 50 when you stack 41 cars. As you saw in the picture and the diagram trying to circle cars around that facility the part that isn't shown there that I guess my client is concerned and been very involved in looking at a car wash development on his own property is the cars that are exiting. See the 41 cars queued, maybe additional cars queued circling around the Merlin Muffler Shop. But those same cars are going to have to intersect and get out of that development. The only way to get out of it is to go through that same line of traffic and interfere with the cars coming out of the Merlin Muffler Shop, having to criss-cross traffic that's trying to come in the center, and all exit out of one exit that is also tied to Mr. Bourque's property. That seems to be a traffic hell. And I don't know how that makes sense.

But in that context a lot of it is hoping as Mr. Willkomm said, and I hope he does very well. I know there's a car wash at Kwik Trip on both sides of H and there will be a third here. But a lot of is I guess presupposing that there's going to be these cross-access easements across my client property. My clients have property, and they don't have any obligations to put in cross-access. They can develop one of the parcels, two of the parcels, can develop under the zoning code and build whatever is allowed there. And I don't know where the Village sits here and is going to say in order to get your project approved we have to help this property owner ease his traffic congestion that he created for himself. He created. Not my client.

My client has land and is looking to develop and take advantage of his property and maximize his property. He's been working on it for three years trying to figure out what makes most sense.

And when the DOT is going to be redoing Highway 50 I understand Highway H is going to be reconfigured. But I just don't want to be coming before Plan Commission in a few months when I bring a project forward and say, well, you know your client owns that parcel that separates between what he's trying to build on and where the Merlin Muffler Shop is, we want you to put in a cross-access easement to ease up the traffic congestion that's been created on this project. It's like putting a gun to my client's head. You're only going to get approval if you help someone else who created a problem for themselves?

I wish everyone great success, but I also know that individual property owners have individual rights, and they should be able to develop their property how they see fit for their needs and not saying, well, you're going to be forced to develop property you don't plan on bringing forward and put in a cross-access easement. Really as was highlighted there's lots of development along Highway 50, lots of great projects have been developed. And what is immediately west here it works well is because you have 76th Street that bisects those projects and provides a public road that gives you access into the back end of properties that need access.

To me it's almost like you're shifting that public responsibility onto my client property. So you're going to build a road on your property to ease up the Merlin Muffler Shop, car wash and to a less extent the shopping center that Mr. Bourque owns. And I just want to present it because I'm here to let everyone know I don't want to be asked by Plan Commission that we're going to deny your project because we're not going to develop all of it right now. We have plans to develop the far corner on the west side. We don't have plans to develop something in the middle yet. But I don't want to be sitting here saying, well, you've got to develop all of it because we created this problem here and you've got to pay for it. That's taking my clients property and that's not fair and that's not right.

So I know my client's worked with staff and has been floating ideas on things they're trying to do. And they're just not there yet. Mr. Willkomm is way ahead of my client. Love it to be successful for everybody, but it can't be at my client's cost. So that's why I'm here to present to you. And it really behooves working together with the Village, with all the property owners on how to make this thing work because I do believe 76th Street is key. And you have to get that road put in so you have some control in order to get into the rest of the development. So that's all I have to say. We'll be back within the months with a plan of what my client's going to do. But I just beg the Plan Commission I brought it up. And I don't want my client being told you need to fix this problem now at your cost. Thank you.

Michael Serpe:
Anybody else wishing to speak? Anybody else? We'll close the public hearing. Comments and questions? Jim?

Jim Bandura:

Question to staff. Highway 50 and H or 88 th is going to be reworked. And is that median going to be a solid median or no cross -- you can't cross that, traffic can't cross the median, am I correct?

## Jean Werbie-Harris:

My understanding is that from Highway 50 south to almost 76th Street that there will be a solid median. I don't know if Matt can respond to that, but my understanding was it was going to be a solid median. So that property would have only a right in right out if there is no opportunity to connect at 76th.

## Jim Bandura:

Okay, and that means the existing curb cut for what was once Earl's is going to go away then, is going to have to go away, correct?

Jean Werbie-Harris:
I think that -- well, it's a county highway, but I'm not sure what the Highway 50 plan shows. I think it shows at least one right in right out somewhere along that stretch.

Jim Bandura:

So how far away from the corner does the curb cut have to be?

Jean Werbie-Harris:
I'd have to look at the Highway 50 plan. I don't know.

Mike Pollocoff:

Jean, on the access management plan for Highway 50 that was adopted by --
Jean Werbie-Harris:

Adopted by the Village as well as the state and the county and the city, yup. That was a formally adopted land use transportation plan for the community, yes.

Mike Pollocoff:

So that plan adopted after numerous hearings and --
Jean Werbie-Harris:

Multiple, yes, several hearings.
Mike Pollocoff:

I remember starting to work on that project in 1987.

Jean Werbie-Harris:

## Correct.

Mike Pollocoff:

So it's had numerous eyes on it for a considerable amount of time. But as far as that access management plan being developed, it anticipates that property owners are going to dedicate crossaccess easements across their properties and that the DOT's method of controlling that is going to be access permits to the state highway.

Jean Werbie-Harris:

That's correct.

Mike Pollocoff:

So as the improvements occur onto that highway it's really going to be the state that's going to drive whether or not someone is going to be able to have access to the --

Jean Werbie-Harris:

Whether it's the county highway or the state highway, that's correct.
Mike Pollocoff:

Is there a commercial access point currently on the property identified by the property owner's attorney, a commercial access point? Pardon me?

Jean Werbie-Harris:

Not on Highway 50.
Michael Serpe:
Okay. So right now there isn't a commercial -- there's an access point but it's not a commercial access point.

Jean Werbie-Harris:

Are we talking about the Sparks Insurance entrance or --
Mike Pollocoff:

Either. That was a residential entrance access point, wasn't it?

Jean Werbie-Harris:

Matt, do you know?
Mike Pollocoff:

Okay. Has the property owner submitted any plans for approval for this parcel or parcels?
Jean Werbie-Harris:

We've not received any formal plans. We've met on occasion off and on over the last several years since he's purchased it. And they have shown various different things on the site.

Mike Pollocoff:

Has an application been submitted at all?

Jean Werbie-Harris:

No.

Jim Bandura:
[Inaudible] that the current property owner knows of what's going to happen on that corner as far as the cross-access and the new cuts that are coming about and the reconstruction of 88 th and 50 , is that safe to assume that he knows about that issue?

Jean Werbie-Harris:

I've brought it to the property owner's attention several times especially when he was in the process of acquiring all these properties. Because it was always the intent as I discussed that these properties would be combined as one use and that cross-access would be provided for not only their benefit to go east but the other benefit of the other landowners to go west.

Jim Bandura:

Because I can't see Wisconsin Department of Transportation granting another curb cut so close to the corner heading west on the south side. I think it would be dangerous if they did.

Jean Werbie-Harris:

The intent was to try to work with all the parties to get that connection. Are we talking about H now?

Jim Bandura:
Yes.

## Jean Werbie-Harris:

The intent was to work with all parties to try and convince the DNR and the Army Corps of Engineers to allow for that filling of that wetland because it would have been the safest and best way to convey traffic back and forth. But that's all been put on hold at this point because we did not have an identified user at the time, and we did not have an exact plan put in place so the DOT put it on hold.

Mike Pollocoff:
Mr. Chairman, I can appreciate Mr. McTernan's efficacy for his client, but as I indicated before this access management plan from the Village's standpoint has been used up and down the interstate in places where there isn't a road and when there is a road. If it's the stance of the property owner there at that corner that it needs to be a public road they have the opportunity to petition the Village of Pleasant Prairie to construct a road to service that property, and the cost of that road will be specially assessed to the parcels that benefit from it and a road would go in.

We've found I think that in the other cases where businesses have participated together on access easements has been far less expensive. And it's really been to the detriment of one person only having all the traffic, and everybody shares in the volume and the access to the businesses. I mean I'm not saying for the Commission that we should say not to it right now, but I think it runs -- to say that we're not going to require cross-access easements runs contrary to almost 30 years of planning. And as that plan has evolved and updated it's constantly been updated. Really this sort has always been a little troublesome only because it's not really big but it is what it is, it's at the intersection of two major roads.

## John Skalbeck:

I had a question about the removal of the underground storage tanks. Has there been any thought about contingency of whether they had leaked? And does the Village have any oversight over that kind of a thing?

Mike Willkomm:
I didn't know if that was my question or not. We have contracted with a certified environmental specialist to come in. They evaluate the site. They take samples as they're removing the tanks, a company we've used for years.

John Skalbeck:
Good.

## Jean Werbie-Harris:

So I think the jurisdiction for underground tanks and such primarily is with the Wisconsin DNR. But our fire department also does some inspecting when there's tank removal as well as tank installation.

John Skalbeck:

So there's a process of the tank removal and inspection and all that?

Jean Werbie-Harris:

Absolutely.

John Skalbeck:

Yeah, I just didn't hear anything about it. Thanks.
Brock Williamson:

Out of curiosity how do you guys handle all that water and all the chemicals that are processed in washing cars? Do you recycle them or filter some of it off?

Mike Willkomm:
No, it goes through a separate, four compartment separator. Then it goes into an oil water separator before it goes in the sanitary.

Michael Serpe:
How much water do you use a day on the Racine store?
Mike Willkomm:

About 40 gallons a car so about 12,000 gallons a day.
--:

And most of it is recycled I assume?
Mike Willkomm:

No, it is not recycled. To get a better clean car it's better to use fresh water.

## Jim Bandura:

On that one I haven't been through it, that only has one lane car wash going through it, correct?

Mike Willkomm:
A single lane wash, right. It's three lanes converging into one lane.

## Jim Bandura:

What's the reasoning behind 20 vacuum stations?
Mike Willkomm:
That seems to be about the right number.
Jim Bandura:
Really?
Mike Willkomm:
For the amount of volume that we hope to do. People take a little bit of time. You know, they take out their floor mats, they want to wash.

Jim Bandura:
Thank you.
Michael Serpe:
Any other questions? What's your pleasure?
Nathan Thiel:
I had a question for Mike. It was brought up during the public hearing. Could you spend some time just kind of talking about the cross-traffic exiting.

Mike Willkomm:
Again, we drew this graphic for the worst case scenario. And this happened in the last year and a half three or four days, okay? So 99.5 percent of the time that fourth lane of traffic isn't there, okay?

Nathan Thiel:
Mike, though, with the change in State Highway 50 traffic coming in, traffic coming out, do you foresee that being a concern at all as basically the traffic going to be coming --

Mike Willkomm:
We anticipate most of our traffic, 80 to 90 percent of our traffic coming off of Highway 50. It's just a right turn. It's where most of the traffic is. Once this gets built and the community gets used to it I mean it will be very easy to pull in -- the cross-access, of course, is desirable at some point. But we can certainly operate with just the Highway 50 for obviously a number of years. But the cross-access just allows our traffic to exit west. It will be traffic exiting, it won't be traffic entering our lot.

## Jim Bandura:

That fourth lane, the overflow stacking, your customers are going to have to make a U-turn kind of into the flow of the other lanes, correct?

Mike Willkomm:
Correct. Again, three or four days a year. This is not a normal occasion. I just wanted to show in the worst case scenario. And, again, when you go to McDonald's and you see 15 cars in line what do you do? You go to the next one. You keep going or you come back later. I mean when you think about fast foods, how many fast food operations can stack that many cars? It just feels like our wash guys are getting picked on a little bit.

When the car gets done at the end since it's a conveyor belt, I see on the diagram you're going to push them off to the right and then circle around the building.

Mike Willkomm:
Right.
--:
How does the car exit? I mean do you have this thing in drive [inaudible].
Mike Willkomm:
You go through in neutral, and there's a big sign right when you come in. Put it in neutral, hand off wheel, stay off the brake. And then we put another sign about ten feet from the exit, be prepared to unload, make sure you're in neutral. So as your front tires hit the pavement they're rolling and your back tires are being pushed off the conveyor.
--:
Okay, and then what happens if someone stops, the car behind just keeps piling up?

Mike Willkomm:
You know, we have 29 cameras throughout the property, and we're always watching the exit. That's a very critical spot. So if for whatever reason somebody exits and they've stopped for whatever reason we stop the wash.
--:
So it's kind of a manual process.
Mike Willkomm:
It's a manual process. But we're always watching that because that can be an issue. So we're constantly watching that.
--:
That makes sense.
Michael Serpe:
Any other questions? What's your pleasure? John?
John Skalbeck:
Motion to approve.
Michael Serpe:
Motion to approve the Conditional Use Permit and --
Brock Williamson:
Second.
Michael Serpe:
-- DIGITAL SECURITY. AND THERE'S A SECOND. MOTION MADE BY JOHN SKALBECK AND SECONDED BY BROCK WILLIAMSON FOR APPROVAL OF THE CONDITIONAL USE PERMIT AND THE DSIS. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:
Opposed? The ayes have it. Item L, public hearing and consideration of a Zoning Text Amendment. What's your pleasure?

Wayne Koessl:
So moved.

Jim Bandura:

Second.

Michael Serpe:
MOTION MADE BY WAYNE KOESSL AND SECOND BY JIM BANDURA FOR APPROVAL OF THE ZONING TEXT AMENDMENT. ALL IN FAVOR SAY AYE.

Voices:

Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you, gentlemen.
M. PUBLIC HEARING AND CONSIDERATION OF THE 6th AMENDMENT TO CONDITIONAL USE PERMIT \#13-03 for the request of Dixit Patel on behalf of VIDHYA Corp, VIII, Inc., the property owner, for re-approval of the conditional use permit extension and to remove condition \#54 and allow the BP Amoco gasoline station and convenience store located at 10477120 th Avenue to remain open after June 14, 2017 without having to obtain a yearly Conditional Use Permit, subject to the terms and conditions of the existing Conditional Use Permit and the Settlement Agreement and related Amendments between the Village and the property owners.

Jean Werbie-Harris:

Item M is the consideration of the 6th Amendment to the Conditional Use Permit \#13-03 for the request of Dixit Patel on behalf of VIDHYA Corp, VIII, Inc., the property owner, for re-approval of the conditional use permit extension and 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 14, 2017 without having to obtain a yearly Conditional Use Permit, subject to the terms and conditions of the existing Conditional Use Permit and the Settlement Agreements and related amendments between the Village and the property owners.

Under 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 6th 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 14, 2017 provided as 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 CUP 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 CUP approval was and still is subject to the compliance of the Settlement Agreement approved by the Village Board on November 29, 2012 and the 53 additional conditions. The CUP 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 CUP \#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 hazardous 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 53 additional conditions. The CUP was valid until June 10, 2014. A full copy of the Agreement and the Amendment are on file with the Village.
c. On January 13, 2014, the Plan Commission approved the 1st Amendment to CUP \#13-03 to allow BP Amoco to continue to operate the facility subject to the approval of Settlement Agreement Amendment \#2 which addressed the request for modified analytical test parameters, discharge water standards and reporting requirements of the carbon treatment filtration system that will treat existing contaminated groundwater from several reported hazard substance releases at the site at 10477 120th Avenue. This approval was subject to compliance with the

Settlement Agreement approved by the Board on November 29, 2012, the 1st Amendment to the Settlement Agreement approved by the 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 CUP was valid until June 10, 2014. A full copy of the Settlement Agreement and 1st and 2nd Amendments to the Settlement Agreement are on file with the Village.
d. On June 9, 2014, the Plan Commission approved the 2nd Amendment to CUP \#13-03 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, 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 CUP 2nd Amendment was 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.
e. On June 8, 2015, the Plan Commission approved the 3rd Amendment to CUP \#13-03 to allow BP Amoco to continue to operate the gasoline station and convenience store. This approval was subject to compliance with the Settlement Agreement and amendments thereto approved by the Village Board and 53 additional conditions. The CUP 3rd Amendment was valid until June 10, 2016.
f. On June 15, 2015, the Board approved a 3rd Amendment to the Agreement and on May 2, 2016 the Board approved a 4th Amendment to the Settlement Agreement. A full copy of the Settlement Agreement and all Amendments to the Settlement Agreement are on file with the Village.
g. On May 23, 2016, the Plan Commission approved the 4th Amendment to CUP \#13-03 to allow BP Amoco to continue to operate the gasoline station and convenience store. This approval was subject to compliance with the Settlement Agreement and the amendments thereto approved by the Village Board and 53 additional conditions. The Conditional Use Permit 4th Amendment was valid until June 14, 2017.
h. On June 12, 2017 the Plan Commission approved the 5th Amendment to CUP \#13-03, Exhibit 4, to allow BP Amoco to continue to operate the gasoline station and convenience store. This approval was subject to compliance with the Settlement Agreement and amendments thereto approved by the Board and 53 additional conditions. The CUP 5th Amendment was valid until June 14, 2018.

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. Over the past several years, VIDHYA and their consultants have taken actions in order to comply with the Settlement Agreement and aforementioned amendments to the

Settlement Agreement and have made progress in addressing illicit discharges. The following broad scope items have been completed to date:

- During early 2012, the BP Amoco station was ordered to stop an ongoing illicit discharge of petroleum products into a drainage ditch adjacent to the property. Station owners were also ordered to develop and implement a plan to remove the contamination from the surrounding soils and groundwater. During September of 2012, the station owners presented an acceptable plan to stop the illicit discharge, remediate the contamination, and monitor the surrounding soils and groundwater. The system operated for three years, April of 2013 through August 2016.
- On May 2, 2016, the Board approved the 4th Amendment which included a plan for VIDHYA Corporation to shut down a groundwater pumping and treatment system, which included an outlined strategy to monitor the site the site and system, which has been operating within the limits of a Wisconsin Pollutant Discharge Elimination System or the WPDES permit.
- The groundwater treatment system was shut down on August 15, 2016 with quarterly groundwater sampling continuing through December 2017. The groundwater sampling includes nine wells and testing of several chemical compounds. The continued sampling shows that two of the nine wells have some contamination, however, the sampling sites are showing a stable or decreasing trend over time. Based on the monitoring results, the DNR has at this time indicated that BP may submit for its site closure review.
- BP through their attorneys are working with AIG, their insurance, to obtain approval of their estimates to prepare their NR 726 Case Closure submittal. Once they have the cost approval from their insurance, they will then proceed with completing the case closure work.
- No illicit discharges have been observed by the Village over the past several years.

6. Vidhya is currently in substantial compliance with the Settlement Agreement and related Amendments. That being said, the Village engineer recommends a one year extension of the CUP since a site closure letter has not been obtained from the Wisconsin DNR. Therefore, the Village staff is recommending approval of the 6th Amendment to CUP \#13-03 for a one year extension of the CUP subject to all of 53 conditions with condition 54 to be amended to read as follows:
7. This Conditional Use Permit \#13-03 6th Amendment is valid until June 14, 2019. In order for this facility to continue to operate after June 14, 2019, an application for an extension for a CUP shall be reconsidered by the Plan Commission at a regularly scheduled public hearing prior to June 14, 2019.
8. There are no outstanding special assessments due on the property however, as of May 17, 2018 there are outstanding real estate taxes in the amount of $\$ 11,728.03$, but that payoff good through $07 / 31 / 2018$, and there are delinquent personal property taxes $\$ 493.07$, payoff good through $05 / 31 / 2018$ so it might have earned some interest. In addition, there are outstanding invoices of $\$ 4,136.21$. That includes engineering, CD \& weights \& measures invoices over the past year. Exact amounts shall be verified for additional penalties and interest prior to payment. All outstanding invoices and delinquent taxes shall be paid prior to June 14, 2018.
9. The petitioner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on May 24, 2018 of this hearing. Public hearing notices were also published in the Kenosha News on May 28 and June 4, 2018.
10. The petitioner and the property owner were emailed a copy of this memorandum on June 8, 2018.
11. According to the Village Zoning Ordinance the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application 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 and any information presented at the public hearing this evening, that the project will comply with all applicable Village ordinance requirements and all other applicable federal, state or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer, water, and stormwater serve as well as streets, highways and fire protection.

With that this is a matter for public hearing.
Michael Serpe:
Jean, just a comment. Every time I hear the history of this thing it's like picking a scab off of a wound. And I don't know if it's necessary to go back every year before June to hear the history. I think what we would be concerned with is are they in compliance and that all the back fees and taxes all be paid. And I think that would be sufficient. But I understand where you're coming from. I just don't like to hear this because it was a bad experience for this Village to go through this. I don't care to go through it every year. Anyway, it's a matter for public hearing. Anybody wishing to speak?

## Michael McTernan:

Attorney Michael McTernan, 6633 Green Bay Road, Kenosha, Wisconsin 53142. I'm here to answer any questions and obviously seek approval for an additional one year extension of the CUP. Thank you.

Michael Serpe:
Thanks, Mike. Anybody else wishing to speak? Jean?
Jean Werbie-Harris:
Mike, I just had a quick question. How long do you think it will take to obtain that site closer letter from the DNR.

Michael McTernan:
Don Gallo has been working with the state to finalize that. I saw some emails recently that it should be any day now. They're hoping to have it done this summer.

Jean Werbie-Harris:
So this year, this summer?
Michael McTernan:
This year, no doubt this year.
Jean Werbie-Harris:
Okay, then we'd be done and we'd have site closure.

## Michael McTernan:

Correct. But then I still would have to come back, I understand because we only have a one year Conditional Use Permit. I'd have to ask that this annual event doesn't have to take place. But I understand I'm still stuck until we have that resolved.

Jean Werbie-Harris:
Okay, and then I have a second question that's kind of related. And that is the applicant at one point was looking to do an addition on this facility, it was a Dunkin Donuts. And I was curious as to where are they with that? Are they waiting for site closure to do that? Or is that site closure letter getting held up because you will have to do some land disturbance in order to put in that drive through?

## Michael McTernan:

A little bit of both. I mean once they get the site closure information Bill Morris who is the architect and putting things together will immediately file everything that needs to be done in order to do the expansion to put in the Dunkin Donuts extension that they're going to do and the remodeling of the site.

Jean Werbie-Harris:

I don't know that we finalized that.

Michael McTernan:
No, we didn't.
Jean Werbie-Harris:

Okay. So I think it was still tabled.
Michael McTernan:

It is and we know that.

Jean Werbie-Harris:

Okay.

Michael McTernan:

We'll have to come back. Thank you.
Michael Serpe:
Matt, their cooperation has been okay?
Matt Fineour:
Yeah. I mean I think where they're at with all the environmental contamination and cleanup I mean we're pretty much hopefully at the end of it. I'm hopeful by next year they'll have obtained their site closure, and we can move forward from there and get this thing wrapped up.

Michael Serpe:
Let's hope.
John Skalbeck:

What kind of levels of the compounds are in the two wells specifically like benzine? I'm just curious about the cleanup standards in Wisconsin.

## Matt Fineour:

The only chemical was benzine. I do not have that lab thing right in front of me. But it was slightly above the enforcement standard on two wells. My understanding is with the DNR as
long as on those two wells that it's either stable, it's not increase, or it's decreasing they'll allow site closure with conditions.

## Michael Serpe:

Any other comments? What's your pleasure?

## Jim Bandura:

Just a quick question to Matt. You're recommending that the 13-03 6th Amendment be valid to June 14, 2019, correct?

Matt Fineour:
One year, correct.
Jim Bandura:
One year, okay. All right, I'll go along with that.
Michael Serpe:
And it might come to an end at that time hopefully.

## Matt Fineour:

Correct. I think the end game here in my mind is to get site closure and we wrap up the Settlement Agreement so there's a clear, definitive closure to all this.

Michael Serpe:
Good.
Nathan Thiel:
Trustee Serpe, just a question of clarification for Jean. If they get site closure and then they proceed with seeking to develop the Dunkin Donuts, could they come forward and get the Conditional Use Permit before the due date of 2019?

Jean Werbie-Harris:
So my recommendation for this evening since I was just thinking about that is that I would recommend that the CUP be extended until June 14 of 2019, or until they achieve site closure because we already have another CUP that is active that we have not acted on. And if they receive site closure by August 1st and then they're coming in for their expansion, I would like to just roll it all into we've got site closure, let's grant a new Conditional Use Permit for their entire project with their expansion instead of next year if that's possible.

And Peggy corrected me that we did pass that through to the Plan Commission, but I still stand by what I just said that I'd rather just have you come back when you come with your new applications and just redo it at the time of site closure, and then try to just wrap this whole thing up into one. I mean if we can do that that's what I would rather do as opposed to do it and then do it again, again next June if they're in site closure.

## Michael McTernan:

I agree we will do that. If it's ready to do it we'll bring it all and ask for it to be resolved at that time obviously working with engineering to make sure they're on board at the same time as well.

Jim Bandura:

So the June 14,2019 would essentially be temporary until he comes back.

Jean Werbie-Harris:

Your motion would need to be modified or site closure with a new CUP application whichever comes first.

Jim Bandura:

Okay.

Jean Werbie-Harris:
Yeah, because if they reach site closure this summer and they're coming back with a new addition that we want to get everything vetted out because we put it on hold now I remember because of some issues that Culver's had to the east. Let's just get it all cleaned up and just do it all at one time.

Jim Bandura:

I agree. I would think that would work.

Michael Serpe:
No argument here. Is there a second to Jim's motion?
Mike Pollocoff:

Second.

## Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY MIKE POLLOCOFF FOR APPROVAL OF CONDITIONAL USE PERMIT 13-03. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it.

## 7. ADJOURN.

Wayne Koessl:
So moved.
Jim Bandura:
Second.
Michael Serpe:
Motion made and seconded to adjourn. All in favor say aye.
Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you people.

## Meeting Adjourned: 8:48 p.m.

# PLEASANT PRAIRIE PLAN COMMISSION MEETING <br> VILLAGE HALL AUDITORIUM <br> 9915 39TH AVENUE <br> PLEASANT PRAIRIE, WISCONSIN <br> 5:15 P.M. <br> June 18, 2018 

A special meeting for the Pleasant Prairie Plan Commission convened at 5:15 p.m. on June 18, 2018. Those in attendance were Michael Serpe, Chairman; Wayne Koessl; Deb Skarda; Judy Juliana; Brock Williamson (Alternate \#2); and Michael Pollocoff. Jim Bandura, Bill Stoebig and John Skalbeck (Alternate \#1) were excused. Also in attendance were Tom Shircel, Assistant Village Administrator; and Jean Werbie-Harris, Community Development Director.

## 1. CALL TO ORDER.

2. ROLL CALL.
3. CORRESPONDENCE.
4. CITIZEN COMMENTS.

Michael Serpe:
We have two items on the agenda tonight. If there's something that you wish to talk about on one of the items even though they're not public hearings you can do so when they're called. If there's anything else that anybody wishes to talk about now is your time to approach the podium. Anybody wishing to speak? Anybody wishing to speak? We'll close citizen comments.

## 5. UNFINISHED BUSINESS:

A. Consider approval of Development Agreement/Tax Shortfall Agreement and related Exhibits for proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of 104th Street (CTH Q) and 120th Avenue (West Frontage Road) within the Prairie Highlands Corporate Park.

Wayne Koessl:
Mr. Chairman, I move that we take Item A off of the table.
Mike Pollocoff:
I'll second that.
Michael Serpe:
MOTION MADE BY WAYNE KOESSL AND SECONDED BY MIKE POLLOCOFF TO REMOVE ITEM A FROM THE TABLE. ALL IN FAVOR SAY AYE.

Voices:
Aye.

Michael Serpe:

Opposed? The ayes have it.
Jean Werbie-Harris:

Trustee Serpe and members of the Plan Commission, the first item on the agenda is consider the development agreement, tax shortfall agreement and related exhibits for proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of 104th Street, County Trunk Highway Q and 120th Avenue which is the West Frontage Road within the Prairie Highlands Corporate Park.

The petitioner is proposing to purchase approximately 64 acres of vacant property generally located at the northwest corner of 120th Avenue or the West Frontage Road and 104th Street or County Trunk Highway Q within the Prairie Highlands Corporate Park for the development of construction of the Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building.

As some background information, on April 2, 2018, the Board conditionally approved a Master Conceptual Plan for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building on said property. The proposed $\$ 130$ million development would include an approximate 100,000 square foot ambulatory care center, a three story 100,000 square foot professional office building and associated surface parking and open space. Services offered on site would include primary care, outpatient surgery, rehabilitation services, imaging, laboratory services, occupational health, and a variety of specialty care services and a pharmacy. The building is situated on the site to accommodate future expansion as the healthcare needs of the community evolve. The planning and design of the proposed facility would preserve the site's woodlands and natural wetlands, providing care in a natural and healing environment.

On June 11, 2018, the Plan Commission conditionally approved some Preliminary Site and Operational Plans, the Stage 1 of construction, for the mass grading for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building.

As plans are developed the following approvals are anticipated:

- Preliminary Site and Operational Plans which is Stage 2 of construction for final full civil plans and all underground utilities and footing and foundation.
- Final Site and Operational Plans which is Stage 3 of construction, and this would be for the building shell including building elevations, detailed development plans, lighting plans, DSIS Agreement and signage plans. This approval would allow for building permits to be issued for the building shell and all onsite exterior work. Any modifications to these plans will require additional approvals by the Plan Commission.
- Final Site and Operational Plans Stage 4 of construction for interior build-out plans. This only includes interior building plans. Any modifications to the exterior of the building or the site would require additional approvals by the Plan Commission.

Following the execution of the development agreement, which we'll be talking about, land sale and issuance of erosion control permits, mass grading of the site can begin. Work is expected to begin in July, and footing and foundation and underground utilities are expected to begin in late July. Building construction is anticipated possibly later this summer. The entire project is anticipated to be competed in the summer of 2020.

The development agreement that is on the agenda this evening, one of the items is a Certified Survey Map as previously discussed at the meeting will create Lot 2 which will be purchased by Aurora from the Village and Outlot 1 which will be transferred to the Prairie Highland Owners' Association, Inc. from the Village. All public roadway improvements and the underground public utilities serving the Corporate Park and the Aurora site have been designed, and a contract is being awarded by the Village for the public work which should be starting by the end of June or early July of 2018. The public roadway improvements are intended to be installed by the Village and are anticipated to be completed by the late fall of 2019. The Village is coordinating the electrical services needed for area street lighting, and Aurora is coordinating their own onsite gas and electric service needs directly with We Energies.

Outlot 1 of the proposed CSM will provide for regional basins for Prairie Highlands Corporate Park and will handle stormwater for both Aurora and the southern end of the Corporate Park. The grading of the Aurora lot and the regional stormwater facilities within Outlot 1 will be completed by Aurora pursuant to the Development Agreement, which specifies the obligations and other requirements of the Village and Aurora, including the required public and private improvements that will benefit their development.

The attached development agreement between the developer Aurora and the Village is required as a condition of the Aurora approval and to the Village constructing the infrastructure improvements benefitting Lot 2. As noted in the agreement, the developer, at its cost and expense, shall:

1. Submit all information, drawings, elevations, civil and building plans, specifications and other documents and information and all other matters required by the Village for approval of all plans for any and all grading, site work, landscaping, signage, lighting, improvements, construction and development of the Lot 2 and Outlot 1 in accordance with the normal practices and procedures of the Village including, but not limited to, obtaining Village approval of the regional stormwater grading plan for Outlot 1 before commencing any work on Lot 2 or Outlot 1.
2. Obtain all approvals necessary within the earliest reasonable time, and obtain all zoning, building and other permits and other approvals for construction of and enter into any other and further additional development agreements with the Village detailing the requirements for construction and the development of Lot 2 prior to the commencement of any construction activities thereon, but not limited to the Site and Operational Plans and any work within the Village for all required certified survey map approvals under the Village's Land Division and Development Control Ordinance.

As part of any approval process, the Village may, in accordance with normal permitting and zoning, impose such restrictions, covenants and obligations on the developer as the Village deems appropriate for the development, and the construction and use of Lot 2 . The developer agrees to pay all development, license, permit, legal and other fees required by the State and the Village and other applicable governmental entities, and will not in any way seek reimbursement from the Village for the cost thereof.

No site grading, buildings or improvements shall be constructed on or in Lot 2 until the plans and spec for each of the buildings and improvements have been reviewed and approved by the Village staff and have obtained a final approval by the Village Plan Commission and the Board. All other necessary permits and approvals shall be obtained in accordance with the requirements of the Village and Village ordinances; and the developer has entered into any other further developments or agreements as may be needed, if any, if the Village deems necessary to detail any requirements of the construction of the work on the development of Lot 2 as well as the obligations of the developer with respect to the development on Lot 2 .

The development agreement sets forth the required payment in lieu of taxes agreement as required by the M-5 District regulations. Specifically, the developer acknowledges that the buildings and any additions thereto to be constructed on Lot 2 are not intended to be property exempted from taxation under Section 70.11 of the Wisconsin Statutes or any successor statute known as exempt property. Nothing in the existing development agreement shall be construed as granting tax exempt status on the developer, a successor owner of the Lot 2 or Lot 2 . If any such party qualifies for tax exempt status under Wisconsin law, it is such party's obligation to apply for those tax exempt status. At such time that any Lot 2 owner is granted tax exempt status pursuant to Statute 70.11, or any successor statute, such owner shall then make PILOT payments which is payment in lieu of taxes payments as defined in the development agreement to the Village.

A PILOT payment for any calendar year shall be equal to the Village assessor's determination of the fair market value of the tax exempt portion of the property on January 1st of each tax year multiplied by the total property tax rate equal to the net rate for all taxes calculated to include all taxing bodies reflected on Village tax bills from time to time. PILOT payments for the year in which the property or a portion thereof becomes exempt and subsequent years shall be due and payable in full on or before January 31st of the year following the calendar year for which the PILOT payment was calculated. No PILOT payment is due hereunder from owner until such time that any portion of the development is deemed to be exempt from payment of property taxes pursuant to Section 70.11 of the Wisconsin Statutes or any successor statute.

The Village assessor's office may review the properties or any portion of the property's exempt status under Section 70.11 of the Statutes or any successor statute from time to time with the respective January 1 dates being the reference dates for those exemption reviews. If the Village as a result of those reviews or otherwise determines that all or any portion of the property no longer qualifies or does not qualify for an exemption from property tax (i) the Village will provide notice of such determination to such owner or its successor and assigns; (ii) the payment of PILOT payments shall be suspended with respect to any years applicable with respect to any portions of the property for which exemption no longer applies and (iii) the property or any portion thereof which does not qualify for exemption shall be placed on the property tax rolls for all years for which whole or partial exemption has been determined not to apply.

The Village staff has been working with Aurora on their building elevations, their site conditions for all their upcoming submittals. Obviously they have been to this Commission before and the Village Board as well, and they've already received the initial preliminary approval. And all of their approvals are obviously subject to the execution of this development agreement which we intend to execute this week with the company. This development will need to be in compliance with the development plans, the TID \#5 project plan including Amendment \#1, and any reference to this tax shortfall agreement as set forth in the development agreement.

As you know, the Certified Survey Map was also before you last week, and we have pretty much finalized the Certified Survey Map. We just have a few tweaks left to make with respect to the dedication language most of which actually affects properties outside of Lot 2 , but we just wanted to make sure that the references are accurate on the CSM, and those should be finalized tomorrow. In addition, at this time I think we are trying to set up a closing on Friday of this week. If everything gets put together tonight and tomorrow then everything will be over at the title company. We've already been reviewing warranty deeds and a number of other documents and titles, commitments. So hopefully everything will be put together. I don't know if an exact time has been set yet, but our Village Attorney, Tim Geraghty has been working on those documents as well.

So there were some minor tweaks that their attorney had requested to the development agreement since this was sent out to you on Friday. And one of them is referenced on Page 11 under G stormwater system private improvements. And I just want to note that we did at their request add a sentence at the end of that paragraph that basically states notwithstanding anything to the contrary provided herein the plans and specifications for the construction of the stormwater detention ponds on the outlot will be the plans and specifications referenced in section $\mathrm{V}, \mathrm{C}$ herein. So we do intend to attach the full plans as an exhibit to this development agreement in addition to the finalized Certified Survey Map and all the other exhibits as referenced. I'm not sure if Kathy or Matt have any additional comments that they would like to add with respect to the development agreement.

Michael Serpe:
Are the petitioners here?
Jean Werbie-Harris:
Yes, they are.
Michael Serpe:
Do you wish to add anything? Any questions? You're happy? We're happy, too.
Mike Pollocoff:
Has there been any changes in the capital outlay for the TID District on this project from the original project plan?

Kathy Goessl:
Yes, there's an additional $\$ 90,000$ we're paying to reimburse them for some additional grading because of 120th Avenue being lowered.

Mike Pollocoff:
And the rest of the grant that was provided is the same expense as is the --
Kathy Goess1:
Yes, it stayed at 1.8 --
Mike Pollocoff:
The other offsite work?
Kathy Goessl:
So we just have an addition 90 for grading which our bid for the rest of the park came in at a very good pricing. So we're able to incorporate that into our base grading.

Michael Serpe:
Any other comments or questions?
Wayne Koessl:
I have none.
Michael Serpe:
What's your pleasure?
Mike Pollocoff:
I'll move approval, Mr. Chairman.
Wayne Koessl:
Second.
Michael Serpe:
MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF THE TABLED DEVELOPMENT AGREEMENT AND TAX SHORTFALL AGREEMENT AND RELATED EXHIBITS. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you. Looking forward to it.
Jean Werbie-Harris:
And actually we have a second item on the agenda. I know we were taking them up at the same time with separate action. But I have not yet presented that to you so I'd like to present that next item.

## 6. NEW BUSINESS:

## B. Consider approval of the First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Prairie Highlands Corporate Park.

Jean Werbie-Harris:
The next item is to consider approval of the first amendment to the declaration of covenants, conditions, restrictions and easements for the Prairie Highlands Corporate Park. So they had reviewed the Prairie Highlands Corporate Park declarations that were drafted by the Village. These declarations of covenants, conditions, restrictions and easements for Prairie Highlands Corporate Park were dated May 14, 2018. They were recorded at the Kenosha County Register of Deeds Office on May 30, 2018. And as such Aurora has reviewed these, and they have asked for a couple minor modifications. And I can present those this evening. This would be considered the first amendment to the declarations. And if approved by the Plan Commission and the Board these new declarations or this amendment would need to be recorded at the Register of Deeds Office.

The first specific modification or amendment deals with Aurora as being a purchaser that will be referred to as a large healthcare parcel. So there's a number of references in the declarations to them being a large healthcare parcel. And as such they have requested a few modifications specifically as it relates to their development. One area is that they wanted to make sure in Exhibit $\mathbf{J}$ to the declarations that the various provisions in Exhibit $\mathbf{J}$ not only extend to Haribo but actually also to Aurora.

So some of those changes include notwithstanding this declaration or any other provision of the declaration, neither the declarant nor the Board or the association or the architectural committee shall have the right to grant any easement or multi-use path, trail or like encumbrance upon or over the large healthcare parcel without Aurora's written consent.

The next item is that with respect to the declaration that in the event of a decision by the architectural committee regarding the large healthcare parcel, Aurora shall have the right to appeal such decision to the board whether or not the declarant is appointing the members of the
architectural committee and the basis for any appeal by Aurora of the Board's decision shall not be limited to only whether the Board's decision was within its authority.

The next modification is that the declaration shall be modified to the extent that the Village's or Aurora's obligations to perform work in connection with the initial construction upon the large healthcare parcel as provided in the initial development agreement is between the Village and Aurora for such construction.

The fourth modification to the declaration states that Sections 70.1.6.7, 14.7.1 and 14.7.2 of the declaration shall not apply to construction on the healthcare parcel. Deadlines for the commencement and completion of the construction upon the large healthcare parcel and the maintenance of the undeveloped large parcel shall be dictated by the initial development agreement between the Village and Aurora for the initial construction, and shall be dictated by the future development agreements or Village approvals for improvements subsequent to Aurora's initial construction.

Number five, Section 7.4.4 of the declaration does not apply to the large healthcare parcel. Number six, an application for rezoning, variance or use permits for the large healthcare parcel may be filed contemporaneously for approval with the Village and for approval under the declaration. And, again, part of that request was because the architectural committee right now is made up of Village employees. So they wanted that opportunity to make those applications to the architectural review committee basically and the Village at the same time.

Number seven, modifications and exceptions set forth in 420.139 of the Village Zoning Ordinance may be amended or revoked in the future and are incorporated into the declaration by reference. Number eight, Section 9.9 of the declaration, the period of discontinuation of 180 days shall be deleted and replaced with 12 continuous months when applied to the large healthcare parcel.

Number nine, no assessments will be levied against the large healthcare parcel pursuant to Article X of the declaration to pay for the initial construction of any public or private road, stormwater detention or drainage obviously other than what's happening in Outlot 1, other utility installations, site grading within Prairie Highlands outside of Outlot 1 provided that the foregoing will not prohibit assessments for the construction of new or additional facilities located in common areas after the initial construction of such facilities or maintenance of initial or subsequent constructed facilities in the common areas. So basically like Haribo they did not want to be specially assessed for any improvements that were intended to be completed as part of the initial construction of their development in the Prairie Highlands development.

Number ten, in the event that the declarant excludes or deletes portions of the property from the declaration as provided in Section 2.3 of the declaration, the restricted uses for the benefit of Aurora as set forth on Exhibit H to the declaration and the exclusive uses for the benefit of the large healthcare parcel set forth in Exhibit I shall not be released from such excluded or deleted portion of the property without Aurora's written consent.

And, finally, number eleven, notwithstanding anything to the contrary in Section 13.2 of the declaration, during the period of declarant control no amendment to the declaration shall be made which modifies any provision of Exhibit J including but not limited to the exclusive use and
restricted uses for the benefit of Aurora set forth in Exhibit H and I to the declaration without written consent of Aurora. So both Haribo and Aurora both have some exclusive use as well as restricted use language that were incorporated into the declarations, for example, to prevent someone who makes candy or another healthcare provider from locating within the Prairie Highlands Corporate Park. So that language is still stated.

Mike Pollocoff:
I've got a question, Mr. Chairman. Jean, could you give me on package number four a little bit and number five and describe -- I know we're saying we're identifying sections of the declarations where they're not going to apply. But what is the intent of what we're trying to accomplish in that paragraph as well as whatever Section 4.4 of the declaration is in paragraph five?

Jean Werbie-Harris:
7.4.4, number five?

Mike Pollocoff:
Yeah, and then in paragraph four I've got another question on that.
Jean Werbie-Harris:
I don't have the declaration in front of me, and maybe they can pull it up for me. But my understanding is that there were a number of sections that Haribo had put into the declaration related to a Planned Unit Development. And there were a number of conditions and provisions specifically that they were granted as part of that Planned Unit Development. This development is not asking for and has not petitioned for a PUD. So the references to the PUD in the declarations aren't applicable to Aurora because they don't have those same conditions, and they have not asked for those PUD modifications.

Mike Pollocoff:
Okay. And then in paragraph four, again, a number of sections are identified. And then the details of the deadlines of commencement and completion of construction upon the parcel and maintenance of the undeveloped large healthcare parcel shall be dictated by the initial development. What is the goal of what we're trying to accomplish with that?

Jean Werbie-Harris:
So each development agreement is very specific with respect to the commencement of construction and the timing of completion. And there are some statements in the development agreement that talks about the time frame to start and to complete. And our specific development agreement for Aurora has very specific time frames which are very aggressive. And they are intended to start my understanding is in July. So they are going to be working. And that's why they've decided to -- in the declarations it really talks about like a preliminary or final site and operational, but they've broken it up into four different stages of construction in order to be
aggressively moving forward and to get all of the improvements onsite completed right after or basically right after our work is all completed as well. We want to make sure that our timing of the public improvements is before they need to use those services.

Mike Pollocoff:
Okay. So under that scenario and with the development agreement we've identified what's going to happen in that first phase. So is there any development controls or plan for the remainder? Is that just going to remain fallow?

## Jean Werbie-Harris:

So as part of the site and operational plans, and you'll see this at the next stage, but they intend to do mass grading on the entire site. And their first development phase, and that's the only development phase we have right now, they intend to develop the two parts, the medical office and the ambulatory care center. And they will grade their site, the entire site. They will see their site, and they actually are presenting to us a final landscape plan that will identify where all the turf areas are. And then there are two areas that we've identified, one surrounding and immediately adjacent to the woods on the south side, and an area on the north end that's immediately adjacent to the wetland where they are going to plant some native prairie grasses immediately to those areas. The rest of the site will all be turf or mowed grass. So very similar to what Uline did on the south side.

Mike Pollocoff:
Okay. So those activities are covered in what documents?
Jean Werbie-Harris:
Those are referenced in the development agreement that they're referencing the site and operational plan stages and phases. And our site and operational plans that as we get to the next phases which will be the next one that they've just submitted as well we will be detailing that all out. We have sent documents back and forth to them and emails that have identified what we intend to require with respect to how the site needs to be finished. It's not going to just lay fallow. They really need to have a finished site. They know that. They want to have that. It's their overall appearance for the entire facility, and they want to make sure that it looks nice.

Mike Pollocoff:
Will those be linked to a future development agreement, those site plans?
Jean Werbie-Harris:
No, the work that I just talked about is linked to this development agreement, and it's linked to the site and operational plans that they are doing right now for the four stages of construction.

Mike Pollocoff:
Okay, then help me with that first sentence then. Shall not apply to construction of the --
Jean Werbie-Harris:
I need to run upstairs and get the declarations because I don't have them in front of me. I need to go get it unless you guys have it with you.

Mike Pollocoff:
I'm not trying to be a stickler on this, but if we're going to say in the exhibit that these sections do not apply to the construction of the large parcel, and if it relates to the site and operational plan which is not tied to a development agreement that's been approved of yet, where's the link?

Jean Werbie-Harris:
Say that to me again so I can answer properly.
Mike Pollocoff:
Okay, the first sentence in paragraph four identifies section of the declarations that are not going to apply to construction of the large healthcare parcel. And as you indicated in the site and operational plans there's grading plans that are going to take place and landscaping plans and everything. But if I understand they're not going to be included as part of the existing development agreement, that's going to be a future activity as they present their plans for work. So where' the linkage for the development control or the agreement takes place if, in fact, there's going to be a separate development agreement that's going to take place for that?

Jean Werbie-Harris:
Tom, do you have the declarations? Otherwise I have to run upstairs and get them. I've got to go upstairs.
[Inaudible]
Jean Werbie-Harris:
Okay, so the first one is 7.1.6, and that's the time for commencing work. And the declaration currently says that work shall be commenced within 90 days after first making that application for approval to the architectural committee. So what Scott has drafted in here is that they're going to be commencing work quicker than that. And so what the development agreement does is it refines that time frame and saying that they are going to be doing it faster than the 90 days. So the declarations says one thing, and the development agreement refines that time frame so we're going to follow the development agreement.

The second one is 7.1.7, that's the completion of the work. And when we talked about this initially is that a lot of the projects out there we thought would be completed within one year.

Well, Haribo, Aurora both of them are very large projects, and they're going to take multiple years. The original declarations say that all of this work needs to be completed within one year. And we know that at least both of those projects will take at least two years. So, again, the declaration says to be completed in one year, and we're actually granting a variance saying, no, we know that it takes two years to do it, so there's going to be a modification in the development agreement that says it will be completed within two years or whatever it says in the development agreement. It's a little over two years.

The next one was 14.7.1. So, again, 14.7.1 covers the duty to commence and complete construction. The owner of the lot who acquires a lot from the declarant and any subsequent owner shall have six months or such longer period as granted by the declarant from the closing date to begin substantial construction on the improvements. Again, we're clarifying that in the development agreement based on the time frames and the scheduling that they have provided and us completing the public improvements. But they are intending to construct, and that's why they're doing this expedited construction schedule. And they intend to keep following through with respect to that project from that perspective. So, again, in here it references the one year again, and we know that it takes more than one year in order to complete those improvements that they are proposing.

And then the next section is 41.7.2. And that's the completion of construction or restoration of the site. And, again, the same thing here, within one year to restore the site. Again, they have to get the site stabilized within a period of time, but the full restoration, construction of the site, everything will need to be completed by occupancy. And right now they're intended occupancy is summer of 2020. So we can't expect them to have a final site completed within a year if they're still under construction during that time period.

So where possible the declarations set forth these parameters, but the development agreement more specifically talks about their particular deadlines, time frame, construction, what's anticipated. The declarations and the development agreement don't supersede our ordinances with respect to the site has to be completed prior to occupancy. That's still a given, and they expect the same.

Mike Pollocoff:
Okay, thanks.
Brock Williamson:
Back to the provisions in number one is says about a multi-use path. Is that any problem with what you guys had in mind or about adding one later, or is that part of the original design of the whole concept?

Jean Werbie-Harris:
I don't know if Matt wants to address that or not. If not I can tell you that we have laid out where the multi-use path is --

Brock Williamson:
So you're covered.
Jean Werbie-Harris:
That we've identify where it's going to be in the outlot area. And we've identified on the west side of 128th Avenue where it's going to be located. And what they're saying is that we want something different or in addition to in the future it's not automatic that they would have to grant us an easement for that. They intend to -- we're starting to work through their landscaping plans, and they intend to do some private onsite paths through the woods and reflection areas up by the wetlands and things like that. But at this time they're not interconnected to the multi-use path.

Michael Serpe:
Any other comments or questions? What's your pleasure?
Mike Pollocoff:
I'll move approval.
Wayne Koessl:
Second.
Michael Serpe:
MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF THE FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR PRAIRIE HIGHLANDS CORPORATE PARK. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it.

## 7. ADJOURN.

Judy Juliana:
So moved.

Deb Skarda:

Second.

Michael Serpe:
Motion made and seconded for adjournment. All those in favor say aye.

Voices:

Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you.

## MEETING ADJOURNED: 5:52 P.M.

# PLEASANT PRAIRIE PLAN COMMISSION MEETING <br> VILLAGE HALL AUDITORIUM <br> 9915 39TH AVENUE <br> PLEASANT PRAIRIE, WISCONSIN <br> 6:00 P.M. 

June 25, 2018
A meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on June 25, 2018. Those in attendance were Michael Serpe, Chairman; Deb Skarda; Jim Bandura; Judy Juliana; Bill Stoebig; Brock Williamson (Alternate \#2) and Michael Pollocoff. Wayne Koessl and John Skalbeck (Alternate \#1) were excused. Also in attendance were Nathan Thiel, Village Administrator; Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; and Peggy Herrick, Assistant Village Planner and Zoning Administrator.

## 1. CALL TO ORDER.

2. ROLL CALL.
3. CONSIDER APPROVAL OF THE MAY 29, 2018 PLAN COMMISSION MEETING MINUTES.

Deb Skarda:
Move to approve.
Jim Bandura:
Second.
Michael Serpe:
MOTION MADE BY DEB SKARDA AND SECONDED BY JIM BANDURA FOR APPROVAL OF THE MAY 29TH PLAN COMMISSION MINUTES. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it.

## 4. CORRESPONDENCE.

## 5. CITIZEN COMMENTS.

Michael Serpe:
We have one item tonight on the agenda it's a public hearing. If you wish to speak on that item hold it until that item is called. If there's anything else that you wish to address this Commission on now is your time to speak. We just ask that you approach the podium and give us your name and address. Anybody wishing to speak? Anybody wishing to speak? We'll close citizens' comments.

## 6. NEW BUSINESS:

Michael Serpe:
Item A and B will be taken together.
A. Consider the request of Rita Qualls, agent on behalf of We Energies for approval of a Certified Survey Map to subdivide the property generally located on the west side of 120th Avenue (East Frontage Road) about $1 / 4$ mile north of 122 nd Street into two (2) parcels and create a lot for the construction of a new electric distribution substation.
B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS for the request of Rita Qualls, agent on behalf of We Energies for the construction of a new electric distribution substation that will take high voltage electricity from 128 kV transmission lines and decrease or "step down" of the voltage to 24.9 kV on property generally located on the west side of 120th Avenue (East Frontage Road) about $1 / 4$ mile north of 122nd Street. The new substation, referred to as State Line Substation, will be used to deliver electricity to area homes and businesses.

Jean Werbie-Harris:

Item A is consider the request of Rita Qualls, agent on behalf of We Energies for approval of a Certified Survey Map to subdivide the property generally located on the west side of 120th Avenue or the East Frontage Road about a quarter mile north of 122nd Street into two parcels and create a lot for the construction of a new electric distribution substation.

The second Item B, consideration of a Conditional Use Permit including Site and Operational Plans for the request of Rita Qualls, agent on behalf of We Energies for the construction of a new electric distribution substation that will take high voltage electricity from 128 kV transmission lines and decrease or step down of the voltage to 24.9 kV on property generally located on the west side of 120th Avenue about a quarter mile north of 122 nd Street. The new substation, referred to as State Line Substation, will be used to deliver electricity to area homes and businesses.

These items are related and will be discussed at the same time, however separate actions are required.

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

Findings:

1. We Energies is proposing to construct a new electric distribution substation that will take high voltage electricity from the 128 kV transmission lines and decrease or step down the voltage to 24.9 kV on the property generally located on the west side of 120th Avenue about a quarter mile north of 122 nd Street. The new substation, referred to as State Line Substation, will be used to deliver electricity to area homes and businesses. Exhibit 1 has the applications and the plans.
2. Lot 1 of the proposed Certified Survey Map provided as Exhibit 2 will be acquired by We Energies from Riverview Group LLC for the proposed substation. Lot 1 will be 6.9817 acres with frontage on 120th Avenue. A portion of the lot has wetlands, which were field verified and are currently zoned C-1, Lowland Resource Conservancy District. The wetlands on the property will be preserved. The remainder of the lot is zoned M-5, Production Manufacturing District.
3. The M-5 District allows, with the approval of a Conditional Use Permit a Utility Substation.
4. The transmission portion of the substation will be an outdoor bus consisting of three sections and three outdoor circuit breakers. The distribution portion of the station will have two transformers for added reliability of the substation and a Power Distribution Center containing the indoor distribution circuit breakers and control equipment. The new substation equipment will include modem technology such as microprocessor-based protective devices and other equipment which will allow remote substation control and monitoring.
5. The substation construction will include installation of two 70 MVA transformers and associated equipment. The construction will also include installation of a preassembled, metal-clad PDC; high voltage switches and reclosers; high voltage bus equipment; and other associated equipment and structures. The PDC switchgear will house indoor type circuit breakers and associated controls for ten 24.9 kV feeders along with other electrical equipment and instruments. The PDC and other pole-type structures will be a neutral gray color, either painted or galvanized steel. Additionally, American Transmission Company or ATC will construct an outdoor transmission bus including outdoor circuit breakers, disconnects, and additional equipment to the transmission system.
6. Downward shining exterior flood lighting will be located around the yard and above the entry door of the PDC. The lights will operate as motion-controlled or manually only as necessary for construction, security, and maintenance purposes. Security fencing will surround the substation, eight foot, six inch in height, using no-cut expanded metal fencing material, topped with a barbed-wire rampart. The substation will also include an electronic card reader access system as well as motion sensing security cameras that are monitored by We Energies' central security.
7. Access to the site will be provided by an asphalt paved access road driveway that connects to 120th Avenue. The substation will be constructed per a site and storm water plan that meets Wisconsin DNR requirements as well as any other regulatory permit requirements.
8. Construction of the substation is expected to begin in August of 2019, and be completed by May of 2020. Materials and equipment will be delivered directly to the site, by truck periodically during construction. Construction activity will typically occur Monday through Friday, 7:00 a.m. to 5:00 p.m. and as needed on Saturdays from 7:00 a.m. to 5:00 p.m. During construction, dust controls will be utilized as needed. Additionally, measures will be taken, as needed, to keep 120th Avenue clear of construction-related debris. Refuse generated from the construction activity will be removed from the site regularly during construction. After construction activities are complete, all remaining refuse and construction materials will be completely removed from the site.
9. After the new substation equipment is placed into service, the substation will return to operation as an unmanned facility. No permanent employees will be located at or report to the substation on a daily basis. Employees may access the substation for routine maintenance or nonemergency normally between the hours of 7:00 a.m. and 5:00 p.m. In addition, substation inspections are performed quarterly by one or two person crews. In the unlikely event of an emergency, employees may report to the substation as necessary. The employees performing maintenance and inspections of the substation typically drive light vans or pick-up trucks. We Energies' contractors and employees may occasionally report to the site in larger maintenance vehicles, bucket trucks, or personal vehicles. The normal operation of the substation will not produce any future refuse or contaminants to the environment. Surrounding landscaping will be maintained by We Energies' personnel or contractors.
10. The property owner and all of the abutting and adjacent property owners within 300 feet were notified via U.S. Mail on May 31, 2018, and notices were published in the Kenosha News on June 11 and 18, 2018 regarding the public hearing.
11. The petitioner received a copy of this Village staff report via e-mail on June 22, 2018.
12. According to the Village Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials and the information presented at the public hearing that the project as planned will not violate the intent or purpose of all Village Ordinances and meets the minimum standards for granting of a Conditional Use Permit. In addition, the Plan Commission shall not approve any site and operational plan application without finding in their decision that the application, coupled with satisfaction of any conditions of approval, will comply with all applicable Village Ordinance requirements and will comply with all other requirements of applicable federal, state or local statutes, regulations or ordinances as they relate to land use, buildings, development control, land division, environmental protection, sewer, water and storm service, streets, highways and fire protection.

With that I'd like to continue as this is a public hearing for the Conditional Use Permit.

## Michael Serpe:

Item B is the public hearing, but the Commission will entertain comments from both Items A and B but separate votes on both. This is a matter for public hearing. Anybody wishing to speak? Anybody wishing to speak?

## Jean Werbie-Harris:

The petitioner is here. They should come up and address the Plan Commission.
Michael Serpe:
Please come up. Just name and address before you start.
James Kielma:
James Kielma representing We Energies, 221 West Everett Street, Milwaukee, Wisconsin.
Pat Adams:
Pat Adams, We Energies, 231 West Michigan Street, Milwaukee, Wisconsin.
Michael Serpe:
Anything that you wish to add to this?

## James Kielma:

No, we can answer any questions you might have.
Michael Serpe:
Okay, we'll close the public hearing and open it up to comments and questions.
Jean Werbie-Harris:
I know that you're seeking approvals this summer, but you're actually not going to start construction until next summer, so why so far in advance do you need to seek approvals for these.

James Kielma:
We're attempting to get approval before we close purchasing the property.
Jean Werbie-Harris:
And how long will it take to construct the substation?

As stated it was August 2019, and we'll do some onsite work in the fall. And then electrical construction will be the first half of 2020. So we hope to be done by May of 2020.

Michael Serpe:
Any other comments or questions?
Nathan Thiel:
The obvious question why not use the facility that's already there as opposed to putting up a new facility?

James Kielma:
It has to do with this is a distribution substation so distance, proximity. The power plant is pretty far a lot of your new development and your new customers. This is right across from the new business park as well as another business park on the other side of I-94 and the Haribo development.

Michael Serpe:
What's your pleasure?
Jean Werbie-Harris:
There are more questions.
Michael Serpe:
I'm sorry. Nathan?
Nathan Thiel:
I know in other communities with transmission lines in particular there have been payments to communities and counties and so forth those transmission lines have bisected. Is there plans with this and ATC is that a consideration that's coming forth from PSC? Are you aware?

James Kielma:
I guess I don't totally understand the question. ATC is responsible for their portion. We are located right directly abutting their transmission existing corridor. It's just to the south of our property line. So they're just going to tap transmission lines right into the station. That's one of the reasons we chose this location. And there is a standard agreement as far as our substation for payments or in lieu of property taxes.

Nathan Thiel:
Right. I was under the impression that there might be an improvement or an upgrade to that transmission line as well. So that's the only reason why I was asking.

James Kielma:
Not this line, but I think they are doing expansion on the line south, the Spring Valley Substation.
Michael Serpe:
Just a curious question here. Now that the power plant has been shut down where is the main feed coming from that's feeding this area?

James Kielma:
The lines come south all the way from Oak Creek all the way down through Illinois. The transmission system is connected north and south. We also have smaller gas plants in Concord and other places.
Jim Bandura:
Question to Jean, is there anytime line stipulated in the Village comments? I didn't see anything because they're starting so late and having it completed?

Jean Werbie-Harris:
No, we have not set any type of time frame for a start or finish.
Jim Bandura:
Do we need to?
Jean Werbie-Harris:
And that's why I specifically asked them on the record as to what they're anticipating with respect to a start and finish.

Jim Bandura:
Do we need to?
Jean Werbie-Harris:
I don't think so. I mean the comments that they made tonight are included as part of the public record. The public record is included as part of the facts of finding, and so that will be part of the conditional use. But I mean it's based on their timing. It may happen quicker if need be. Maybe you can address that.

It could possibly happen a little bit quicker. We went with the May as being -- that's the absolute last date. We are working with the developers that are working with you so this schedule does meet the needs of your new developments.

Mike Pollocoff:
In as much as this is a distribution substation, as power going back up on one of those line are you going to hang another line up there to service the business park that you're talking about?

James Kielma:
The transmission lines will come in just to the west of our plan right from the south. All our distribution exits and stuff will be underground.

Mike Pollocoff:
Okay, all right.
Michael Serpe:
Any other comments or questions? Take Item A first, Certified Survey Map, what's your pleasure?

Jim Bandura:
So moved.
Judy Juliana:
Second.
Michael Serpe:
MOTION MADE BY JIM BANDURA AND SECONDED BY JUDY JULIANA FOR APPROVAL OF THE CERTIFIED SURVEY MAP. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. And now your pleasure on the Conditional Use Permit?

Judy Juliana:
Move to approve.
Jim Bandura:
Second.
Michael Serpe:

## MOTION MADE BY JUDY JULIANA AND SECONDED BY JIM BANDURA FOR APPROVAL OF THE CONDITIONAL USE PERMIT. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you.
C. Consider the request of David Carbol of Partners In Design Architects on behalf of Froedtert South Inc., for approval of Final Site and Operational Plans including the DSIS Agreement and Access Easement for the Froedtert South Medical Office Building to be located west of Old Green Bay Road north of STH 165 in the Main Street Market development.
Jean Werbie-Harris:
Trustee Serpe, Item C is to consider the request of David Carbol of Partners In Design Architects on behalf of Froedtert South, Inc., for approval of Final Site and Operational Plans including the DSIS Agreement and Access Easement for the Froedtert South Medical Office Building to be located west of Old Green Bay Road north of STH 165 in the Main Street Market development.

The Froedtert medical office building is proposed to consist of four floors, at approximately 12,500 square feet each, totaling about 50,000 square feet of buildable space. The building will have multiple entrances on two levels. The west side of the building will be four stories with a covered entry facing Highway 31. The topography rises to the east, so the east side of the building will have a three-story elevation and a covered entry facing Old Green Bay Road. The building's exterior materials will consist of brick, stone and window glazing in the same architectural, prairie style and colors as the Froedtert South/St. Catherine's Medical Center Campus on STH 50 in the Prairie Ridge development.

The first floor will house physician suites that provide physical therapy, occupational therapy, imaging and support functions for each suite. In addition, the CT scan and MRI units are being planned for at a future date. The second floor houses a family practice physician suite as well as an immediate care suite. The third and fourth floors will be shell space but is anticipated to house Froedtert South physician suites.

The hours of operation for the various services will be Monday through Friday from approximately 6:00 a.m. to 8:00 p.m. and Saturdays from approximately 7:00 a.m. to 5:00 p.m. Sunday operations may occur based on patient demand but would be for limited hours. Initially there will be 15 full-time and 10 part-time employees. At full build-out of all four floors it is anticipated that there would be 60 full-time equivalent jobs created.

There are 244 parking spaces including 16 handicapped accessible spaces on the site with parking and sidewalk/pedestrian interconnections and cross-access driveway and parking easements within the abutting future Main Street Market Development users.

The DSIS which is the Digital Security Imaging System will be installed on the property pursuant to the requirements of Chapter 410 of the Municipal Ordinance and in accordance with the DSIS Agreement and DSIS Access Easement. This system shall be operational prior to occupancy.

Previous approvals for this project, on January 15, 2018 the Village Board conditionally approved a Master Conceptual Plan for the proposed 50,000 square foot Medical Office Building. On March 26, 2018, the Plan Commission approved Preliminary Site and Operational Plans to begin the mass grading, underground utilities and early footing and foundation construction for the Medical Office Building, and this activity has commenced on the site. In addition, this development shall be in compliance with the Village approved Main Street Market Development Plans, the Tax Shortfall Agreement with the Main Street Market Planned Unit Development Ordinance and the TID \#6 Project Plan for the Main Street Market Development as approved by the Village Board on April 16, 2018.

For occupancy Froedtert South is began grading work in May for the Medical Office Building and the building and the site are anticipated to be completed and operational by late spring of 2019. There should be representatives here from the architectural firm as well as the hospital if you have any questions for them.

Michael Serpe:
Susan, do you have anything to add? Anything? Okay. Before we open up for comments what's the fate of the 165 road work and the traffic study?

## Jean Werbie-Harris:

So the traffic study is complete. The staff is working with the DOT and their consultants to finalize the MOU which will be coming before the Plan Commission and the Board in July and early August for the Board. There are some things that we need to tweak with respect to the development plans. My understanding is the developer has made the acquisitions or at least has contracts for the right of way that they were looking for south of 165 . The Village is working to acquire the right of way as needed for Old Green Bay Road on the east side from the condo association.

So traffic signals, the TIA has been correctly modified so that there are traffic signals that are proposed as part of that TIA both at 165 and Old Green Bay Road and Green Bay Road and Main Street. There were some modifications, and that has been re-evaluated. Also, the TIA is being -or the MOU is being rewritten to address that there's like three phases, broken up into up to three
phases. The Froedtert piece with respect to the turn lanes and things that they need from Old Green Bay Road as well as the improvements to 165 and Green Bay Road and then the final piece.

Again, depending on develop ability of the property and how quickly things move they might be able to compress those phases. But right now it's broken up into like three phases so that occupancy of the Froedtert Medical Office Building is not hindered by the second and third phases of the construction. So all of that is being worked out as we speak. And even the development plans we're working with the DOT and Pinnacle on those as well. And, again, the intent is in July to have the MOU back to the Plan Commission for formal approval, and then to have it go to the Village Board.

Michael Serpe:
Good. Comments or questions from the Commission? What's your pleasure?
Judy Juliana:
I move that the Plan Commission approval the final Site and Operational Plans including the DSIS Agreement and Access Easement subject to the comments and conditions of the Village staff report of June 25, 2018.

Deb Skarda:
Second.
Michael Serpe:
MOTION MADE BY JUDY JULIANA AND SECONDED BY DEB SKARDA FOR APPROVAL. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you.
D. Consider the request of Jack Williams on behalf of Central Storage Warehouse Corporation for an 18 month time extension (until July 3, 2020) of the conditionally approved Site and Operational Plans for the construction of $\mathbf{1 8 , 0 0 0}$ square foot addition to their facility located at 7800 95th Street in LakeView Corporate Park.

Jean Werbie-Harris:
Item D is the request of Jack Williams on behalf of Central Storage Warehouse Corporation for an 18 month time extension until July 3, 2020 of the conditionally approved Site and Operational Plans for the construction of 18,000 square foot addition to their facility which is located at 7800

95th Street in LakeView Corporate Park. The Village staff received a request from jack Williams for an 18 month time extension to comply with the conditional approval of the Site and Operational Plans. Again, this is for an 18,000 square foot addition to the existing Central Storage \& Warehouse Company or CSW located at 7800 95th Street in the Corporate Park.

On December 11, 2018, the Plan Commission conditionally approved Site and Operational Plans for the proposed addition to the west side of the building, and this included a 15,425 square foot freezer space and the remainder being dock space with four new loading dock doors facing to the south. In addition, nine parking spaces will be added on the east side of the building. And, again, as noted on the screen upon completion of that addition there would be 36 full-time and two parttime employees. The Village staff recommends approval and is requesting Plan Commission approval for the time extension request until July 3, 2020 of the conditionally approved Site and Operational Plans subject to compliance with the attached January 3, 2018 approval letter and compliance with any Village Ordinance amendments that may be made since that original.

Mike Pollocoff:
Mr. Chairman, Jean, is there any indication that their expansion in Mount Pleasant is connected to this delay?

Jean Werbie-Harris:
I do not know.
Mike Pollocoff:
Not expansion, they're going to build a new facility there.
Jean Werbie-Harris:
I don't know.
Michael Serpe:
After this expansion are they out of room?
Jean Werbie-Harris:
Absolutely at this site on this property.
Michael Serpe:
What's your pleasure?
Mike Pollocoff:
I move that we approve the extension as requested.

Bill Stoebig:
Second.
Michael Serpe:

## MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY BILL STOEBIG FOR APPROVAL OF THE EXTENSION. ALL IN FAVOR SAY AYE.

Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it.

## 7. ADJOURN.

Jim Bandura:
So moved.
Judy Juliana:
Second.
Michael Serpe:
Motion made and seconded for adjournment. All in favor say aye.
Voices:
Aye.
Michael Serpe:
Opposed? The ayes have it. Thank you.

Meeting Adjourned: 5:52 p.m.
A. Consider the request of John Huggett of the Boldt Company for approval of Preliminary Site and Operational Plans (Stage 2) for full civil plans for the installation of on-site utilities and footing and foundations for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of $104^{\text {th }}$ Street (CTH Q) and $120^{\text {th }}$ Avenue (West Frontage Road) within the Prairie Highlands Corporate Park.

Recommendation: Village staff recommends that the Plan Commission conditionally approve the Preliminary Site and Operational Plans (Stage 2) subject to the comments and conditions of the Village Staff Report of July 9, 2018.

## VILLAGE STAFF REPORT OF JULY 9, 2018


#### Abstract

Consider the request of John Huggett of the Boldt Company for approval of Preliminary Site and Operational Plans (Stage 2) for full civil plans for the installation of on-site utilities and footing and foundations for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building to be located at the northwest corner of $104^{\text {th }}$ Street (CTH Q) and $120^{\text {th }}$ Avenue (West Frontage Road) within the Prairie Highlands Corporate Park.


The petitioner has purchased approximately 64 acres of land generally located at the northwest corner of $120^{\text {th }}$ Avenue (West Frontage Road) and $104^{\text {th }}$ Street (CTH Q) within the Prairie Highlands Corporate Park for the development of construction of the Aurora Health CenterPleasant Prairie Ambulatory Care Center and Medical Office Building.

The proposed $\$ 130$ million development would include an approximate 100,000-square-foot ambulatory care center, a three story, 100,000-square-foot professional office building, and associated surface parking and open space. The building is situated on the site to accommodate future expansion as the health care needs of the community evolve. The planning and design of the proposed facility would preserve the site's woodlands and natural wetlands, providing care in a natural and healing environment.
The proposed health care facility would offer new and expanded services in an ambulatory care center and professional office building. The facility is intended to meet the rapidly growing health care needs of individuals residing in the Village and surrounding communities, ensuring access to high-quality, cost effective care in a convenient location. Within the facility there will be operating rooms, imaging rooms, rehabilitation equipment, prep/recovery rooms, clinic exams, food service, a laboratory, pharmacy, and sterilization equipment. The equipment used within the facility will support the previously identified departments and rooms. A generic listing of the equipment that will be within this facility will include, but is not limited to: CT, MRI, X-ray, Bone Densitometer, Mammography, Ultrasound, Operating Rooms, steam sterilizers, disinfector, crash cart, centrifuge, stretchers, exam tables, kitchen hoods, grills, freezers and refrigerators. A screened mechanical service area will be located on the building.

It is estimated that this facility will provide for 260 full-time and 28 part-time employees working 2 shifts (this will include 140 new jobs). A total of 737 parking spaces (including 24 handicapped accessible parking spaces) are provided with a separate entry and two (2) dock service court areas are shown on the west side of the building. It is anticipated that the average daily automobile trips would be 2,565 per day with an average of four (4) daily truck trips per day. Access to this development will be from an internal roadway that connects a boulevard entrance to $120^{\text {th }}$ Avenue (West Frontage Road) and extends to a boulevard entrance at $128^{\text {th }}$ Avenue. There will be no direct driveway access to $104^{\text {th }}$ Street (CTH Q). A total of three (3) access points are proposed from $128^{\text {th }}$ Avenue.

Outlot 1 of CSM 2866 north of the property will provide for regional basins for Prairie Highlands Corporate Park and will also handle storm water for Aurora and the southern end of the Corporate Park. The grading of the Aurora Lot and the stormwater facilities within the Outlot will be completed by Aurora pursuant to the Development Agreement, which specifies the obligations and other requirements of the Village and Aurora, including the required public and private improvements for the Aurora development.

All public roadway improvements and public utilities serving the Aurora site have been designed and construction is set to begin in July. The public improvements are intended to be installed by the Village and are anticipated to be completed by the late fall of 2019. The Village is coordinating the electrical services needed for Prairie Highlands Corporate Park street lighting and Aurora is coordinating their on-site gas and electric service needs directly with We Energies.
A wetland staking was completed on the property in 2017 by RA Smith. The existing wetlands on the site are intended to be preserved and protected by Aurora during site development and the Comprehensive Land Use Plan and Zoning Map as discussed earlier on tonight's agenda are being
amended to reflect the wetland designations. If in the future, the isolated pocket of wetlands on the site is proposed to be filled, then the Village Comprehensive Land Use Plan Map and the Zoning Map will need to be amended to reflect the location of the wetlands to be filled. If the wetlands are proposed to be filled, then fill permits shall be obtained from the WI DNR and the US ACOE and it should be noted on the plans that the wetlands are intended to be filled.

Previous Approvals:

- On April 2, 2018, the Village Board conditionally approved a Master Conceptual Plan for the proposed Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building on said property.
- On June 11, 2018, the Plan Commission conditionally approved the Preliminary Site and Operational Plans (Stage 1) for the mass grading of the site and the mass grading will begin once the WI NOI, the WI DNR Chapter 30 permit and the WI DOT permit has been obtained and submitted as discussed in the pre-construction meeting on June 27, 2018 and the Erosion Control Permit will be issued by the Village.
- On June 18, 2018, the Village Board approved the Development Agreement and related Exhibits that were executed by all parties on June 21, 2018.
This Preliminary Site and Operational Plan (Stage 2) approval of the final full civil plans and all underground utilities and footing and foundation permits which includes substructure concrete and vertical concrete sheet walls. The State excludes structural steel and exterior facade details.

As plans are developed the following approvals are expected:

- Final Site and Operational Plans (Stage 3) for the building shell, detailed landscape plans, lighting plans, DSIS Agreement and signage plans.
- Final Site and Operational Plans (Stage 4) for interior build-out plans.

Early footing and foundation and underground utilities expected to begin in late July with building construction anticipated to begin later this summer/fall with approval of Stage 3 approvals. The entire project is anticipated to be competed in the summer of 2020.

## RECOMMENDATIONS:

Village staff recommends that the Plan Commission approval of the Preliminary Site and Operational Plans (Stage 2) subject to the above comments and the following conditions:

1. The Preliminary and Final Site and Operational Plans (Stages 3-4 as discussed above) shall meet the Site and Operational Plan requirements of the Village Zoning Ordinance (Article IX of Chapter 420 of the Village Municipal Code) and conditions of the Master Conceptual Plan as conditionally approved by the Village Board on April 2, 2018.
2. The entire exterior of the building and site shall be covered by a Digital Security Imaging System (DSIS) which has a live view connection to the Village Police Department. The system shall be designed for external coverage for entire site including all building and parking lot entrances and exits, all driveways and access locations on the site and the parking lots. See Article 410 of the Municipal Code for the details. A DSIS Agreement and DSIS Access Easement shall be drafted by the Village and executed by the Village and Aurora and the Easement shall be recorded. These documents shall be approved by the Village with the Final Site and Operational Plan (Stage 3) application. The system shall be installed, tested and operational prior to final occupancy. (A meeting was coordinated with the Aurora Loss Prevention team to discuss DSIS details on May 24, 2018).
3. The Preliminary Site and Operational Plans have been reviewed for conformance with generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all State and local codes, ordinances,
and procedures. Modifications to the plans, etc. may be required should errors or changed conditions be found at a future date and detailed engineering plans shall be prepared and reviewed. The following changes shall be made to the plans and three (3) revised paper copies and one electronic copy of the revised plans with a written description of how each of the comments have been addressed shall be submitted for final staff review.
a. Compliance with the attached comments from the Village Engineering Department dated June 27, 2018. Revise the plans accordingly.
b. Subject to the attached comments from the Fire \& Rescue Department dated June 27, 2018. Revise the plans accordingly.
c. Correctly label the sampling manhole on the plans.
d. Revise and update the Landscaping sheets to represent turf vs. prairie grasses. As part of the Stage 3 Site and Operational Plans, detailed landscaping plans shall be presented that includes a prairie area planting plan and a maintenance plan for final consideration.
e. Sheet A010 - Remove Kristina Tranel and Rick Murphy from Government Agency Contacts.
f. Sheet C200 - Primary Monument Signage and On-site Directional Signage shall meet Village requirements unless specific PUD modifications are requested and approved to increase the number and size of signs. The word sign is misspelled on plans. Landscaping and address shall be provided for the primary monument signs.
g. Sheet C201- Dimension setbacks of all monument signage from the rights-of way on plans.
h. Sheet C903 - Temporary Stop signs are being installed prior to exiting the site on 120th Avenue per the WI DOT. Note that all permanent traffic and directional signage and parking lot signage shall be placed on decorative black or bronze pole with top finials - no temporary movable concrete block base signs or cones, or channel pole signage shall be installed on site. Note details on the plan sheets.
i. Pavement Marking Plan shall be included on the plans.
j. Sheet L101- Landscaping plan (work in progress) - was reviewed by staff on June 26,2018 and shall be utilities in preparation of final landscaping plans. No stone or gravel in the parking lot islands-must be turf. Details shall be provided that will address the paths, signage and lighting within the two wooded/native plantings areas. Low level shrubs shall be planted in islands in addition to trees. Symbology in islands does not meet details. Detailed review and approval of this plan will be forthcoming.
k. Turf with irrigation for plantings shall be placed in all other locations except for the natural prairie grasses/plant area. Note on the plans
I. The MOB site address shall be put on the plans- going forward - 12500 Aurora Drive.
m . Bollards are not required to be painted yellow.
n. Additional comments may be forthcoming from the Village Public Works Department.
4. Upon approval of the revised Preliminary Site and Operational Plans (Stage 2), as noted in item 3 above, and prior to the issuance of the required permits, the following shall be submitted (1 paper copy and a pdf copy):
a. Written approval of the Stage 2 plans from the Prairie Highlands Corporate Park Commercial Owners Association. With the request for approval, include any
variance requested for the Prairie Highlands Corporate Park Declarations such as for the use of natural prairie grasses/plants in specific locations on the site.
a. Commercial Building Permit application for footing and foundations and Utility Permits for all onsite utilities with State approved Plans.
b. Copies of any permits required by Kenosha County for any work within CTH Q ( $104^{\text {th }}$ Street) including tree removal. Contact Clement Abongwa at Kenosha County Public Works 262-857-1870.
c. Village Work in the Right-of-Way for connection to Village utilities.
d. If a temporary development sign listing the project and contractors is proposed, then a sign permit application and related material shall be submitted. (No wind screen message signage is allowed and no plastic or material banners affixed to any site structures or trailers).
5. The two large wooded areas on the site shall be protected from tree removal until the Owner and their team can coordinate an on-site visit and tag which trees and undergrowth are proposed to be removed and a plan is submitted to the Village for approval.
6. Sidewalk comment has not yet been fully addressed to bring pedestrians to front entrance of the MOB. A more detailed site plan review will be conducted related to site details such as on site sidewalks, pedestrian path, landscaping and signage with future submittals.
7. Draft of the DSIS Plans shall be submitted within the next 45 days for the Village staff to draft the DSIS Agreement and DSIS Access Easement.

## 8. Other Comments:

a. Subject to the attached comments from the Building Inspection Department dated June 27, 2018.
b. Prior to any utility and footing foundation work commencing on the site, all required permits shall be issued by the Village.
c. The hours of construction activity, operating heavy machinery or equipment associated with the grading, erosion control device installation, and overall site development shall be allowed from Monday through Friday from 6:00 a.m. to 10:00 p.m. and Saturday from 6:00 a.m. to 10:00 p.m. and Sunday from 8:00 a.m. to 6:00 p.m.
d. There shall be no construction vehicle parking or equipment storage permitted in the CTH Q (104 ${ }^{\text {th }}$ Street), $120^{\text {th }}$ Avenue (West Frontage Road) and $128^{\text {th }}$ Street rights-of-way. On-site (off-street) gravel parking areas shall be designed to accommodate all construction related workers and site visitors.
e. The Village shall approve of the location of construction access and all construction trailers parked on the site during construction activities. No construction trailers shall be parked in Village rights-of-way. All construction related signage and temporary construction fencing shall be approved and permitted by the Village. Advertising wind screen banner signage shall not be permitted.
f. This Development will need to be in compliance with the overall Development Plans and TID \#5 Project Plan including Amendment \#1 including the tax shortfall agreement as set forth in the Development Agreement.
g. Impact fees shall be paid prior to issuance of the building permit pursuant to Chapter 181 of the Village Code (Based upon $\$ 1.94$ per $\$ 1,000$ of valuation as determined by the Village Assessing Department).
h. Each business is required to obtain an annual Village Business License. The required application and application fee shall be filed with the Village prior to
occupancy of the building. This business license certificated shall be issued at time of occupancy and shall be renewed annually.
i. All exterior mechanical units, antennae and/or satellite dishes, whether roofmounted or ground-mounted, shall be screened from the general public's view. All air conditioning units/gas meters shall be screened, not mounted on the sides of the building.
j. Prior to occupancy all entrances and exits should be numbered on the exterior and interior beginning at the main entrance and moving clockwise around the structure. Numbers should be of a reflective material and must be visible from the farthest point of the adjacent parking lot (minimum size of 3 inch attractive numbers placed on the same location of each door). Review with the Police Chief.
k. Prior to occupancy, each handicapped parking space shall be appropriately signed (locations to be reviewed with planning staff) and painted on the pavement pursuant to ADA requirements prior to occupancy of any development site. All pavement parking shall be the same color - white or yellow.
I. Prior to occupancy, the Digital Security Imaging System (DSIS) shall be installed, operational, inspected, accessible and accepted by the Village.
m . Prior to occupancy, all required landscaping shall be installed. A written letter verification and certification shall be provided to the Village by the landscape installer that all landscaping has been installed in accordance with the approved landscape plan. However, if cold 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 a cash deposit, an irrevocable letter of credit, performance bond 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.
n. Prior to occupancy, all signage shall be installed and inspected. All signs shall comply with Article $X$ of Chapter 420 of the Village Zoning Ordinance, unless specifically allowed within a PUD. A written letter verification and certification shall be provided to the Village by the signage installer that all signs has been installed in accordance with the approved signage plan and sign permits.
o. Prior to occupancy, one (1) electronic copy of an as-built plan, stamped by a Wisconsin Registered Land Surveyor shall be submitted to the Village to verify that required building, signage, 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.
p. Prior to occupancy, one (1) electronic copy of the as-built record drawings of all graphical data of all private sewer, water, and storm sewer facilities and underground irrigation systems installed shall be provided to the Village in order 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.
q. The owner shall comply with all provisions of the Site \& Operational Plan approvals, including compliance with the Village Performance Standards.
r. 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.
s. The site shall not be used for any parking (neither overnight nor during the day) of junked/inoperable/dismantled/unlicensed vehicles. All junked/inoperable/ dismantled/unlicensed vehicles that are parked overnight will be issued citations.
t. At no time shall the site be used to sell or advertise any vehicles that are "for sale".
u. No vehicular parking will be permitted in driveways, maneuvering lanes, fire lanes or on landscaped areas.
v. There shall be no outside banners, strings of pennants, flags, inflatable devices or streamers affixed or attached to the building(s), light poles, ground or landscaping, etc.
w. There shall be no long-term semi-truck/trailer or box truck parking permitted on the site that is not used in the daily operations of the facility.
x. There shall be no outdoor storage of raw materials or display of materials, goods or equipment on this site, unless as approved by the Village.
y. 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.
z. This development shall be in compliance with the Village Land Division and Development Control Ordinance, Village Zoning Codes, Village Construction Site Maintenance and Erosion Control Ordinance, Village Construction Specifications and other Village Ordinances, Kenosha County Ordinances as it pertains to CTH Q and other applicable Ordinances and the State of Wisconsin Statutes, as applicable.
aa. All Village fees incurred by the Community Development Department, Village Engineer or for Legal assistance required by the Village throughout the development process will be billed directly to the owner. Such fees shall be paid in a timely manner.

TO: Peggy Herrick, Assistant Planner / Assistant Zoning Administrator
FROM: Matthew Fineour, P.E.,Village Engineer

SUBJ: Aurora Health Center<br>Civil Engineering Plans - Rough Grading / Erosion Control Plan

DATE: June 27, 2018

## Peggy,

The Engineering Department has reviewed the submitted plans for the proposed development. We have the following comments noted on the attached mark-up plan. This review only pertains to site rough grading.

1. See comments on the attached plan mark-up sheets.
a. Only plan sheets with comments are included.
b. Comments that apply to multiple locations are not repeated for every occurrence.
2. Earthwork calculations still need to be submitted with the engineer's estimate of the amount of import or export of fill needed for the site grading plan.
3. Include Village standard details SAN-2A and SAN-2B (Palmer-Bowlus Flume Details) that correspond with the sanitary sampling manhole.

The engineering plans have been reviewed for conformance with generally accepted engineering practices and Village policies. Although the data has been reviewed, the design engineer is responsible for the thoroughness and accuracy of plans and supplemental data and for their compliance with all state and local codes, ordinances, and procedures. Modifications to the plans, etc. may be required should errors or changed conditions be found at a future date and as additional information is provided.

Attachments: Plan Mark-Up

## AURORA HEALTH CENTER PLEASANT

 PRAIRIE ACC AND MOB
## BOLDT.


hga commission number: 1373-026-0 JUNE 11, 2018
key plan:















地


(2)

TEMPORARY SEDIMENT BASIN NORTHEAST POND


3 EMERGENCY OVERFLOW SPILLWAY (NORTHEAST POND)



(5) TEMPORARY SEDIMENT BASIN NORTHWEST POND
5
6) EMERGENCY OVERFLOW SPILLWAY NORTHWEST POND)





# VILLAGE STAFF MEMORANDUM 

TO: Jean Werbie-Harris, Community Development Director<br>FROM: $\quad$ Craig Roepke, Chief Fire \& Rescue<br>CC: Peggy Herrick, Assistant Planner, Community Development<br>SUBJECT: Fire Department review of AHCPP ACC-MOB Preliminary Site \& Operation Plans (Pkg \#2)<br>Permit/Trakit\#: DEV1806-002

DATE: June 27, 2018

These are comments for the AHCPP ACC-MOB Preliminary Site \& Operation Plans (Pkg \#2) located at the general area at Hwy 165 \& the West Frontage Rd. in the Southern portion of the Prairie Highlands Corporate Park.

The Fire \& Rescue department have the following comments regarding the above project.

1. Sheet C400 \& C401 on plan set dated June 11, 2018 does not depict correct location of added hydrants in the Southern area as discussed.
2. Plan set dated June 11, has no fire protection room (ie: pump room) identified. Based on water line entry and vacant from above Loading Dock W-381 from previous print sets, it is assumed that this will contain the fire pump. Please confirm.
3. Verify completion and receipt of compliance letter as detailed below.
4. Review numbered comments as part of this document.

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 must become familiar with the contents.

AHJ: The Authority Having Jurisdiction is the Village of Pleasant Prairie Fire \& Rescue Department.
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.

Conflicts: 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 of Wisconsin and/or the Village of Pleasant Prairie where applicable.

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 ALARM AND SPRINKLER PLANS ARE A SEPARATE SUBMITTAL TO THE FIRE DEPARTMENT. <br> DUE TO CONSTRUCTION AND TIME CONSTAINTS FIRE PROTECTION SUBMITTALS MAY AND ARE TYPICALLY BROKEN INTO AN UNDERGROUND SUBMITTAL AND AN ABOVE GROUND SUBMITTAL.

Pre-Construction Meeting: A pre-construction meeting may take place with the general contractor, the fire protection contractor, the Fire and Rescue Department, Village staff, and any other sub-contractor prior to the start of any project construction.

## 1. Site Access:

a. Access shall be provided around the perimeter of the site for Fire Department apparatus, and must comply with the State of Wisconsin and the International Building Code, 2015 edition.
b. A minimum wall-to-wall turning radius of $45^{\prime}-0^{\prime \prime}$ shall be allowed for apparatus movement.
c. All entrances from public streets, as well as road and driveways around the proposed building shall be a minimum of 30 feet wide.
d. All roadways and fire lanes must be unobstructed and not used any part as a parking area for automobiles, semi-trucks or trailers. Fire lanes shall comprise of a hard and maintainable surface.
e. All exterior exit pathways as well as access to the Fire Pump room shall have a hard surface, leading to a hard surface. This includes all exit doors from the facility. These pathways shall be maintained and accessible at all times.
f. An exterior personnel door shall be located in close proximity to each fire sprinkler riser.
g. There shall be Knox padlocks, Knox key switches, or other AHJ approved devices on all gates on site. The Fire \& Rescue Department will review the proper placement and operation of the Knox system locks.

## 2. Gates / Barriers:

a. Any gates or barriers that are employed or installed on a private roadway or access shall have a minimum width clearance of sixteen (16) feet. Builder/developer to identify any other gate widths and obtain written AHJ approval.
b. Gates or barriers that are locked must have the ability for the AHJ to remove, unlock or disable either manually or automatically the securing mechanism to open or raise the gate or barrier. Builder/developer to identify methodology.
c. Any barrier or gate that raises vertically at a pivot point to allow for passage must provide for at least 90 degrees of clearance from the ground to the bottom of the gate or barrier.
d. Gates or barriers that raise vertically shall have a minimum vertical clearance of $13^{\prime} 6^{\prime \prime}$.
e. There shall be a manufacture endorsed mechanism or process to secure the gate or barrier in the open position without utilizing personnel to maintain an open condition.
f. The gate or barrier access on premise shall be readily identifiable to the AHJ.
3. Combination Water Sizing Confirmation: The owner shall provide a letter from the sprinkler designer affirming that the combination water main is sized appropriately for both domestic use and fire sprinkler protection demand. This will typically include the designer's license stamp on the document.
4. Required Licenses: A Wisconsin licensed fire protection contractor and/or sprinkler fitter must install any and all dedicated fire protection underground fire mains and aboveground fire protection.
5. 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.
6. Review and Comments: the Fire Department will review and comment on the following areas outlined below.
A. Site and Operational Permits
1.Site accessibility (Plans provided do not specific clearances or distances)
2. Fire Pump Location
3. Pumper Pad
4.Fire hydrant spacing
B. Conditional Use and Operational

1. Standpipe outlet locations .
2. Fire alarm pull stations
3. Emergency and Exit Lighting
4. Fire extinguishers

## 7. Plan Review, Permits and Fees

a. 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.
b. The Village will use an independent fire safety consultant for review of all fire protection plans submitted.
c. An approved AHJ review must be completed before any permits will be issued and before construction can begin.
d. A submittal is not considered permitted or an approved plan.
e. Acquiring WI State approved plans is not acceptable to bypass the AHJ permit process.
8. 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

The following fees and permits are generated directly from the Fire \& Rescue Department.
a. Bulk water Usage
b. Fire Protection Plans for Underground and Aboveground
c. Fire Alarm System Plans
d. Kitchen Hood Systems Plans

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.

## 9. Occupancy:

a. All fire and life safety requirements must be in place and operational prior to any building being occupied.
b. No occupancy inspections shall be scheduled until all life-safety systems are complete.
c. Key life safety systems include: Fire sprinkler system, Fire alarm system, Fire extinguishers, Emergency Lighting, and any additional requirements determined by both the Fire Department and the Village Building inspection department.
d. AEDs as required are in place.
10. Hazardous Occupancies: Should there be identified hazard occupancies with this project, the Fire \& Rescue Department will need more than the typical four week time period to review potential Hazardous Occupancies. The owner must contact the Fire \& Rescue Department as soon as possible to begin the review process.
11. Exterior Doors: All outside doors must have access to the interior. Such as a lock and handle provided at each door.
12. AED: The owner shall be required to acquire and install one or more public access Automatic External Defibrillator (AED) onsite for employee and public use in the event of a sudden cardiac arrest. It is suggested that during the construction phase that a location(s) be identified so that options for recessed cabinets may be determined.
13. Storage: Maximum height, width and aisle ways and egress pathways must be maintained and will be enforced. The same concerns apply to the storage of quantities of combustibles (plastics and cardboard) and
other storage of flammable liquids or chemicals must also be properly identified, placarded and stored.

## 14. Elevators:

a. If applicable, must comply with Village of Pleasant Prairie Ordinance 180-20, including acceptable minimum size and emergency notification.
b. Review the proper sizing requirements with the fire department early in the planning process.
c. Elevator emergency phone notification shall dial the Pleasant Prairie emergency number or 262.694.1402
15. 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.
16. Door Numbering: Each exterior door shall be sequentially numbered.
a. Shall consist of a 4 " reflective number in a color that is contrasting to the door color.
b. Numbering shall be in an increasing sequence and located in the upper right-hand portion of the door.
c. The starting numbering point shall be determined in the field and approved by the AHJ.
d. Door numbering shall also be identified in some manner on the interior.
17. On Premise Secure Key System: Knox Company Rapid Entry System, "Knox Boxes" shall be provided for the building. The Knox Boxes shall be Model 4400. Two sets of all keys, FOBS, access cards, etc (Master, fire alarm pull station, annunciator, elevator, etc.) shall be placed within the box, as well as a copy of the pre-fire plan.
18. 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.
19. Emergency and Exit Lighting: Exit and Emergency Lighting shall be provided as required and shall have battery backup. Combination units are acceptable and recommended. An Emergency Generator eliminates the need for battery backup. These circuits shall be clearly labeled.

## 20. Sprinkler System:

a. The building shall be equipped with an "automatic fire sprinkler system". The systems shall be designed and constructed to the current printed edition of NFPA 13, Automatic Fire Sprinklers and the Village of Pleasant Prairie Ordinance 180-16, Automatic Fire Sprinklers. Confirm NFPA edition with the Fire Department prior to system design.
b. Risers shall be durably labeled with the system or riser identification.
c. Outside/exterior Riser Control Valves:
i. Where installed, outside control valves shall be durably labeled with the associated system or riser that it controls.
ii. Shall be chained and locked to prevent tampering. Locks utilized shall provide for a breakaway shackle.
d. Hydrant flow test values for the purposes of fire protection design calculations shall be no older than one year from the above ground fire submittal date.
e. A sprinkler zone or riser map shall be installed within the pump room of sufficient size.

## 21. The following information as applicable, must be submitted with the sprinkler plans for review:

| Building height | Number of stories/floors | Mezzanines | Elevators |
| :--- | :--- | :--- | :--- |


| Hazard class | Commodity Class | Exterior storage | Fire protection |
| :--- | :--- | :--- | :--- |

22. Fire Hydrants: Fire hydrants shall meet the Village of Pleasant Prairie hydrant specification. Fire hydrants shall be spaced no more than 350 feet apart around the perimeter of the building, per Village Ordinance $\S 180$ 16. 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.
23. Fire Protection Loop: As applicable for building type or unless otherwise approved in writing by the AHJ, a fire protection (hydrant) loop shall be required as part of the overall fire protection systems as outlined in $\S 180-$ 16(K)(5).
24. 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) code standard 24 and witnessed by the Fire Chief or designee.
25. Fire hydrant / 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. 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.

## 26. Pumper Pad:

a. A municipally fed fire hydrant and fire department connection (FDC) combination is defined to be a "pumper pad".
b. The FDC shall comprise of a 30 degree angled 5" Storz connection unless otherwise approved by the fire department in writing.
c. Both the hydrant and FDC shall between $18^{\prime \prime}$ and $23^{\prime \prime}$ above finished grade as a pair.
d. There shall be dedicated space for a fire engine to have unobstructed access to the pumper pad.
e. 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. Any variances shall be approved by the AHJ in writing.
f. The pumper pad shall be free of vegetation, plant, shrubs, or other obstructions at least 5 feet on each side.
g. 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.
h. The Fire Department connection shall be constructed along with an underground drain with access for inspection.
i. The area around the pumper pad shall be comprised of a hard surface such as asphalt or concrete to support the weight of a fire service apparatus.
j. The pumper pad area shall have some form of posted signage and/or painted pavement designation indicating no parking or obstructions in that area.
k. Refer to the Village specification drawing for the pumper pad design.

## 27. Bollards:

a. Shall be placed near fire hydrants, remote post indicator valves (PIV) and Fire Department connection(s) that are subject to damage.
b. Bollards shall be six (6) inches in diameter. Bollards shall not obstruct charged fire hoses.
c. It is recommended that the Fire Department approve the location of the bollard(s) before final placement is made.

## 28. Standpipes:

a. The building shall be equipped with standpipes that shall consist of $2-1 / 2$ inch NST valve, capable of delivering 250 GPM, at 75 PSI measured at the standpipe valve.
b. Where required, standpipes shall be wet and placed adjacent to all exterior exit doors, same side as the door handle/knob. Village Ordinance 180.16 (I).
c. No 1-1/2" cap reductions are required.

## 29. Pump Room / Riser Room Door:

a. The exterior door that accesses either the fire pump or riser room shall be labeled in the following manner outlined below
i. At the center upper $1 / 3$ of the door, utilizing 4 " reflective RED or WHITE block lettering contrasting to the door color, with the following title.
ii. "FIRE PUMP ROOM" or "FIRE RISER ROOM", respective for the type of existing room.
b. This door shall have a Knox-Box installed adjacent to the door. The specific location heights and details are documented in the "Fire Department - Appendix A" attachment.

## 30. MSDS / SDS Station:

a. Within the pump or riser room locate a (SDS) Safety Data Sheet Station in a conspicuous and accessible location. The station shall be labelled so to be readily identified.
b. Products used for maintenance, production or stored within the facility shall have their SDS information located at this SDS station.
c. The SDS information shall be organized in such manner that access to product information is intuitive.
d. The contents of the SDS station shall be updated and/or reviewed at least annually by the building owner or active tenant. A dated record log shall be kept with the SDS station indicating such review.

## 31. Strobe Light:

a. All strobe lights required below shall meet Village specifications as found in section 180-16(m) of the Sprinkler Ordinance. The lens color shall be RED.
b. A strobe light and 10 " dome bell shall be provided, visible from the pumper pad to indicate a waterflow alarm condition.
c. If the building has a fire pump, an additional strobe light shall be required and installed adjacent to the waterflow alarm and activated when the fire pump is running.
d. Both notification devices above ( $b \& c$ ) shall be labeled appropriately as "WATERFLOW" and "PUMP RUN" below the respective devices.
e. A strobe light shall be provided and installed vertically at each riser location on the exterior of the building. No bell or signage is required. In instances where two or more risers are located at one location, only one exterior strobe is required. The strobe shall activate on any one riser waterflow.
f. A separate "Appendix A" document is available to provide visual detail supporting the above requirements.
32. Fire Alarm System: There shall be a full function remote annunciator installed. 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. The systems shall be designed and constructed to the current printed edition of NFPA 72. Confirm NFPA edition with the Fire Department prior to system design
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. PIV \& Exterior Valves: shall be monitored by the Fire Alarm system.
f. Strobe \& Bell: Strobe light and Bell devices shall be identified and documented on the submitted Fire Alarm plan submittal. It is understood that typically this work is completed by the electrical contractor and not part of the alarm plan per say.
g. Duct Detectors: Duct detectors shall be programmed as a Supervisory Alarm, not as an alarm condition unless pre-approved by the AHJ.
h. Fire Alarm Plans Location: There shall be a designated location for a set of as-built fire alarm plans near the FACP per NFPA 72.
i. FACP Nomenclature: Confirmation of nomenclature shall be discussed between the Fire Department and the fire alarm program technician prior to any inspections.
j. Initiating Devices Labeling: All initiating devices e.g.: pull stations, smoke detectors, tampers, etc shall be labeled with the FA device number that matches the system nomenclature programmed. The font/letters shall be at least 14 pt or of such size that they are visible based on accessibility to the device. (e.g.: ceiling initiating devices may require a larger font size)
k. Annunciator Panel: Shall be addressable. The annunciator panel type shall be approved by the AHJ. 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.
I. Transmission of Fire Alarms. The method of transmission to central station shall be approved by the AHJ. (e.g. RF Radio, cellular, VOIP, or other approved technologies allowed by code.)
m. FACP Main Panel: There will be one main fire alarm panel within a building. The system will not be split into two or multiple fire alarm panels interconnected together. (Example: West wing is one panel, East wing is a different panel)
n. Fire Alarm Map: An "as-is" drawing of the fire alarm system shall be provided and posted in the riser or pump room of the building. The drawing shall have at minimum, the initiating device numbers, locations, and door numbering scheme on the posted drawing. Size of the drawing to be discussed with the fire department.
o. 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.

| Fire: | Pleasant Prairie Fire \& Rescue <br> Medical: |
| :--- | :--- |
| Phone numbers |  |
| Emergency: | $\mathbf{( 2 6 2 )}$ 694-1402 |
| Non-emergency: | $(262) 694-7105$ |
| Business: | $(262) 694-8027$ |

33. All Hazards Notification System: Should the owner or tenant plan on the installation of an in-building all hazards notification system (fire, weather, active threat, etc), the fire department must be made aware and the system must meet all NFPA 72 requirements.
34. Public Safety Radio Coverage: Provide for adequate radio coverage to public safety service workers, including but not limited to firefighters, and law enforcement officers. For purpose of this section, adequate radio coverage shall include all of the following:
a) a minimum signal strength of -101 dBm available in $95 \%$ of the area of each floor of the building when transmitted from the Public Safety Radio Communications System: and
b) A minimum signal strength of -101 dBm received at the Public Safety Radio Communications System when transmitted from $95 \%$ of the area of each floor of the building, via portable radio with public safety microphone.
c) Channel Performance Criterion (CPC): CPC is the minimum performance level in a faded channel, per TSB88, clause 4.2. TSB-88 is a "Telecommunications Systems Bulletin" published by the TIA, Telecommunications Industry Association. The performance level is rated using "Delivered Audio Quality". Industry standard DAQ definitions are shown in Table 1.
d) DAQ level of three (3) is the minimum performance level which shall be attainable by public safety radio systems in $95 \%$ of the area of each floor of a building, via portable radio with public safety microphone

Table 1 - Delivered Audio Quality Definitions

| DAQ Delivered <br> Audio Quality | Subjective Performance Description |
| :---: | :--- |
| 1 | Unusable, speech present but unreadable. |
| 2 | Understandable with considerable effort. Frequent repetition due <br> to noise / distortion. |
| 3 | Speech understandable with slight effort. Occasional repetition <br> required due to noise / distortion. |
| 3.5 | Speech understandable with repetition only rarely required. Some <br> noise / distortion. |
| 4 | Speech easily understood. Occasional noise / distortion. |
| 4.5 | Speech easily understood. Infrequent noise / distortion. |
| 5 | Speech easily understood. |

e) The frequency range which must be supported shall be 151.0000 to 160.0000 MHz , in both digital and analog signals.

## Testing Procedures:

A. Initial Tests. Public safety employees or their designees will perform initial tests. A Certificate of Occupancy shall not be issued to any new structure if the building fails to comply with this section.
B. Annual Tests. Fire Department personnel in conjunction with inspection procedures will conduct annual tests.

## Amplification Systems Allowed

1. Buildings and structures which cannot independently support the required level of radio coverage shall be equipped with any of the following in order to achieve the required adequate radio coverage: a radiating cable system or an internal multiple antenna system with or without FCC type accepted signal booster amplifiers as needed. The installation of equipment as indicated above cannot be detrimental to the operation of the Public Safety Radio System.
2. In the event that a signal booster is employed it shall meet the following minimum requirements:
a. be fully encased within a dust resistant case;
b. be contained in a National Electrical Manufacturer's Association (NEMA) 4-type waterproof cabinet;
c. battery systems used for the emergency power source shall be contained in a NEMA 4-type waterproof cabinet;
d. the signal booster system and battery system shall be electrically supervised and monitored by a supervisory service, or shall sound an audible signal at a constantly attended location;
e. Have FCC certification prior to installation.

## Secondary Power

Emergency responder radio coverage systems shall be provided with an approved secondary source of power conforming to NFPA 72 . The secondary power supply shall be capable of operating the emergency responder radio coverage system for a period of at least twenty-four (24) hours. When primary power is lost, the power supply to the emergency responder radio coverage system shall automatically transfer to the secondary power supply.

## Field Testing

Fire Department personnel, after providing reasonable notice to the owner or their representative, shall have the right to enter onto the property to conduct field-testing to be certain the required level of radio coverage is present.
35. 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 if modifications are made to the system.
b. The fire alarm contractor shall provide the owner with a letter (upon completion of the fire alarm work) stating the fire alarm system, or portion thereof, is " $100 \%$ operational and built according to the design" if modifications are made to the system.
c. Copy of contract with fire alarm central monitoring station.
d. Copy of UL and/or FM certificate(s) for the fire alarm central monitoring station.
e. Copies of the fire protection underground flushing documents.
f. Copies of the underground and fire sprinkler hydrostatic test certificates.
g. Copies of the fire sprinkler operational test certificates.
h. Copies of the fire alarm test documents.
i. Copies of other test documents such as, hood/duct, smoke, etc...
j. The Pleasant Prairie Fire and Rescue Department shall have all information needed for our pre-fire plan prior to occupancy.
k. Provide in electronic format (USB, CD, etc) all Floor plans and fire protection plans for the building in an as-built condition.
I. 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 laminated covering and accessible.
m. AED as required, are in place at such time that the occupancy inspection is conducted.
n. A copy of the Emergency Plan must be submitted to the Fire \& Rescue Department before occupancy.

## Village Staff Memorandum

To: Jean Werbie-Harris, Community Development Director
From: Sandro Perez, Building Inspection Superintendent
Subject: Aurora Health Care
Date: June 27, 2018

1. Building Inspection Department information:

Hours: Mon-Fri, 8am-5pm.
Phone\# 262-694-9304
Email: buildinginspection@plprairiewi.com
2. Permit applications can be found online at pleasantprairieonline.com
3. Inspections are performed Mon- Fri 9am-4pm except electrical inspections; those are only Tue \& Thu mornings. 48 hr notice is required to schedule an inspection. Please note you must call and speak with a Building Inspection Department representative a voicemail or email will not constitute an inspection please plan accordingly. Final occupancy inspections require coordination with multiple departments and staff members there for a minimum of 72 hour notice is required. Any re-inspection fees due must be paid prior to scheduling a re-inspection.
4. All contractors requiring permits shall not commence work until permit issuance.
5. We are currently inspecting to the 2015 IBC, IEBC, IMC, IECC, IFGC, 2009 ANSI A117.1, 2017 NEC and WI. Plumbing code SPS 381-386.
6. Please submit all applicable plans (Building, HVAC, Fire Suppression, Fire Detection, Conveyance, Plumbing, etc.) to the state for review (DSPS/DHS). Please be aware state plumbing plan review has a long lead time, plan accordingly.
7. Building Inspection Department will not issue respective permits until we receive the applicable state approval letter and plans.
8. All state approved drawing must be available at job site for inspector review during inspections.
9. Please submit emergency egress lighting plan and energy compliance worksheets form SBD 10512 to Building Inspection Department with building permit application.
10. Fire alarm systems require two permits from both the Fire Department and Building Inspection Department.
11. Any building fire protection loop and combination water main will require approval by the Fire Department prior to issuance of exterior (utility) plumbing permit.
12. Fire alarm systems and fire protection loops will require inspections by both the Fire Department and Building Inspection Department.
13. Any tradesmen requiring state license will be "carded" on the jobsite for compliance.
14. All equipment must be "LISTED" by a nationally recognized testing laboratory.
15. All equipment, materials, etc. must be rated for the environment in which they will be used.
16. Please contact me with any questions on permitting and/or plan submittal.
17. Village of Pleasant Prairie recommends all exterior lighting to be LED, 5000K and "Dark Sky" compliant. No spillover of lighting beyond lot lines is allowed.
18. Provide adequate accessible parking per Ch. 11 of the 2015 IBC.
19. I'd like to identify some hang ups we've experience on these types of projects:
a. Uffer ground installation
b. VAV working clearance
c. Firestopping
d. Concealing work prior to inspection
e. Deviation from approved plans and specs
f. Premature scheduling of inspection
g. Working without permit

June 11, 2018

Ms. Jean M. Werbie-Harris
Community Development Director
Village Planner and Zoning Administrator
Village of Pleasant Prairie
9915 39th Avenue
Pleasant Prairie, WI 53158

## Re: AHCPP ACC-MOB Preliminary Site \& Operation Plans (Pkg \#2) Narrative

Dear Jean,
As a part of the AHCPP ACC-MOB Preliminary Site \& Operation Plans (Pkg \#2 - Foundations \& Utilities) submittal we are asking that the Village of Pleasant Prairie review and approve the following:

- Site Utilities which includes proposed site utility layouts and elevations to service the building MEP systems.
- Substructure concrete which includes proposed foundation sizing and layout.
- Vertical concrete shear walls which includes proposed sizes and locations of shear walls.

This submittal Package \#2 excludes structural steel and exterior facade details for the private site development. Site access for this phase of the project is to come from 120th Avenue.

Please contact me if you have any questions.
Sincerely,
THE BOLDT COMPANY


John K. Huggett
Vice President, Project \& Performance Development
cc: Brian Esswein - Aurora Health Care
Jason Neitzel - Aurora Health Care
Scott Lindvall - HGA
Nick Burris - HGA
Steve Fisco - GRAEF
Chris Waldon - Boldt
File

SITE AND OPERATIONAL PLAN APPLICATION/ZONINGPERMIT
For all applications that require Village Plan Commission Approval



Name of Business: AURORA HEALTH CARE
Site Address: 12616 104TH STREET PLEASANT PRAIRIE WI 53158 Suite \#: $\qquad$
Tax Parcel Number: 244-0602
Zoning District (s): M5
Name of Development: AURORA HEALTH CENTER - PLEASANT PRAIRIE - ACC AND MOB
Estimated Date of Occupancy: 05/2020
Detailed Description of the Proposed Project and Use:
A local health care provider seeks to develop an outpatient health care facility on a 64 -acre parcel in the Village of Pleasant Prairie. The parcel, located west of I-94 and the 120th Avenue frontage road and between future 128th street.

The proposed site plan includes an approximately 100,000-square-foot ambulatory care center, a three story, 100,000 -square-foot professional office building, and associated parking. The buildings would be situated on the site to accommodate future expansion as the health care needs of the community evolve. The planning and design of the proposed facility would preserve the site's woodlands and natural wetlands, providing care in a natural and healing environment.

Detailed Description of Company:
The proposed health care facility would offer new and expanded services in an ambulatory care center and professional office building. It is intended to better meet the rapidly growing health care needs of individuals residing in the village of Pleasant Prairie and surrounding communities, ensuring access to high-quality, cost effective care in a convenient location. Hours of operation have not yet been established. Services offered on site would include primary care, outpatient surgery, rehabilitation services, imaging, laboratory services, occupational health, a variety of specialty care services and a pharmacy.

## Select One Option

$\square$ Relocation of Business from

- New Location for Business in Pleasant Prairie
$\square$ Expansion/Change to Existing Business in Pleasant Prairie
$\square$ New Start Up Business


## SITE AND BUILDING INFORMATION

Lot Area: 568,529 ..... $\mathrm{sq} . \mathrm{ft}$.
Building Area: 206,500 ..... sq. ft.
Tenant Area: N/A
sq.ft.
Addition Area:
$\qquad$ sq. ft.
Lot Area: 64.03 ac.
Total Impervious Surface Area: $\qquad$ sq. ft.
Total Landscape Area: $\underline{\text { 2,134,440 sq.ft. }}$
Building Height: $\qquad$ ft.
$\qquad$ ft .
$\qquad$ sq.t.
Site \% of Open Space 80 $\qquad$ \%

## ON-SITE PARKING/TRAFFIC INFORMATION

Total \# of parking spaces (on-site): 737
Total \# of regular parking spaces (on-site): 713
Total \# of handicapped accessible spaces (on-site): 24
Total \# of truck parking spaces (on-site): 0
Total \# of dock doors: 2
Anticipated automobile trips to and from the site (excluding trucks):
Number of daily average trips: $\underline{2,565}$ Maximum number of daily trips: $\underline{2,565}$
Anticipated truck trips to and from the site:
Number of daily average trips: 4 Maximum number of daily trips: 8

## OPERATIONAL INFORMATION

Hours (Open to the public): 5:30 AM - 7:30 PM (HOURS MAY EXTEND BASED ON DEMAND)
Delivery hours: THROUGHOUT HOURS OF OPERATION
EMPLOYMENT INFORMATION

Proposed total number of full-time employees: 260
Proposed total number of part-time employees: 28
Number of shifts: 2
Total of number of employees per shift: $1^{\text {st }} 288 \quad, 2^{\text {nd }} 288 \quad, 3^{\text {rd }}$
Largest number of employees on site at any one time: 288

## PUBLIC FACILITIES INFORMATION

## Check all that apply:

■ The property is serviced by Public Sanitary Sewer

- The property is serviced by Public Water
- The building is serviced by fire sprinklers

Maximum number of gallons/minute of water expected to be used per day is: 150 GPM

## If property is zoned $\mathbf{M}-1, \mathbf{M}-\mathbf{2}$ or $\mathbf{M}-5$ then the following shall be completed:

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 associate square footage for each classification:

- Factory Group F-1 (Moderate-hazard) $\qquad$
- Factory Group F-2 (Low-hazard)
sq. ft.
- Storage Group S-1 (Moderate-hazard) sq. ft.
- Storage Group S-2 (Low-hazard) sq. ft.
$\square$ Business Group B
206,500
sq. ft.
- High-Hazard Group H
sq. ft.
- Other $\qquad$ sq. ft.

Types and quantities of goods and materials to be made, used or stored on site:
This facility will store linens, general medical supplies, surgical instruments, pharmaceuticals, medical gases, medical equipment, and food products.

## Types of equipment or machinery to be used on site:

Within the facility there will be operating rooms, imaging rooms, rehabilitation equipment, prep / recovery rooms, clinic exams, food service, lab, pharmacy, and sterilization equipment. The equipment used within the facility will support the previously identified departments / rooms. Generic list of equipment that will be within this facility: CT, MRI, X-Ray, Bone Densitometer, Mammograhy, Ultrasound, Operating Booms, steam sterilizers, disinfector, crash cart, centrifuge, stretchers, exam tables, kitchen hoods, grills, freezers, and refrigerators.

Types and quantities of solid or liquid waste material which require disposal:
This facility will require the removal of bio-hazard materials, soiled linens, and trash.

Method of handling, storing and disposing of solid or liquid waste materials:
There will be two on-site trash dumpsters that will be emptied on a weekly basis. Bio-hazard and soiled lines will be stored at the loading dock, where a contracted service will remove the sealed containers from the facility.

Methods of providing site and building security other than the Village Police Department:
This facility will have an on-site security office / staff in combination with a loss prevention strategy that will overlay cameras, badge security card access, door controls, and after hours controlled access.

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

This facility will have full time staff dedicated to maintenance of the mechanical, plumbing, electrical, fire protection, building structures, site, and landscaping. There will be a dedicated environmental services team that will clean and repair the interior areas. Contracted services will include landscape maintenance, snow removal, and waste removal.

Description of potential adverse impacts to neighboring properties or public facilities and measures to be taken to eliminate or minimize such adverse impacts:

The current site is a vacant farm field. This development will bring healthcare services to the surrounding neighborhood and county. The existing infrastructure is set up to support the patient, staff, and visitor vehicular population. The deliveries and service route will be directed away from the patient and staff circulation. The current road infrastructure supports a large warehouse facility and adjacent large retail development. This new development will blend with the existing properties and neighborhood.

A list of all local, Kenosha County (highway access, health department), State and Federal permits or approvals required for the project: (Provide copies of such permits and approvals).
Wisconsin DNR, DATCP, DSPS, WisDOT, Kenosha County (Construction Access off Q)

## PLANS AND OTHER ATTACHMENTS

Attached to this application include three (3) full size plans and a PDF pursuant to Section 42057 of the Village Zoning Ordinance entitled "Plan Components and Related Standards":

```
E}\mathrm{ Title Sheet
@ Survey
@ Site Plan
E Grading and Drainage Plan
Building and Fire Protection Plans
\square ~ L i g h t i n g ~ P l a n ~ ( i n c l u d i n g ~ p h o t o m e t r i c ~ p l a n )
\square ~ L a n d s c a p e ~ a n d ~ O p e n ~ S p a c e ~ P l a n ~
Signage Plan
\square ~ I n d u s t r i a l ~ W a s t e ~ S u r v e y ~
@ Required Application Fee and Pre-Development Agreement
```

The Village may require additional information be submitted to ensure that all Village requirements and ordinances are being met.

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, unless such information is waived or deferred pursuant to the Section 420-57 of the Village Zoning Ordinance.

I (We), hereby certify that all the above statements and all attachments submitted with this application are true and correct to the best of my knowledge, and I (We) further understand that the following shall apply:

1. No use shall be conducted in such a way as to constitute a public or private nuisance.
2. No use shall be conducted in such a way as to violate any of the performance standards set out in §420-38 of the Village Zoning Ordinance.
3. No owner, occupant or user of real property shall conduct a use so intensively that there is inadequate provision of on-site parking spaces and/or loading spaces to accommodate the needs of such use.
4. All buildings, structures, site improvements and sites shall be maintained in a safe, structurally sound, neat, well-cared-for and attractive condition.
5. No use shall create or significantly exacerbate unsafe traffic conditions on any street or highway in the Village.

## PROPERTY OWNER:



| MILWAUKEE WI | (State) | (Zip) |
| :--- | :--- | :--- |
| (City) |  |  |
| Phone: $:$ | 262-948-5810 |  |

Fax:
Email: lisa.just@aurora.org
Date: 2/23/2018

## TENANT CONTACT:

Print Name: $\underline{n / a}$
Signature: $\qquad$
Address: $\qquad$
(City) (State) (Zip)

Phone: $\qquad$
Fax: $\qquad$
Email: $\qquad$
Date: $\qquad$
APPLICANT/AGENT:

| Print Name: JOHN HUGGETT |  |  |
| :---: | :---: | :---: |
| Signature: |  |  |
|  |  |  |
| Address: N21W23340 RlDGEVIEW PARKWAY |  |  |
| WAUKESHA | WI | 53188 |
| (City) | (State) | (zip) |
| Phone: 262-446-7124 |  |  |

Fax: $\qquad$
Email: john.huggett@boldt.com
Date: 2/23/2018

## AURORA HEALTH CENTER PLEASANT PRAIRIE ACC AND MOB



AURORA HEALTH CENTER PLEASANT PRAIRIE ACC AND MOB

## BOLDT


hga commission number: 1373-026-00 JUNE 11, 2018
PACKAGE \#2


| PLEASANT PRAIRIE VILLAGE HAL PLEASANT PRAIRIE, WI 53158 <br> OFFICE: (262) 694-140 | BUILDING INSPECTION DEPARTMEN SANDRO PEREZ BUILDING INSPECTION SUPERINTENDENT <br>  |
| :---: | :---: |
| Commwry |  |
| Selen | Soumink |
|  | O.frice |
| PEGY Herrick |  |
| OFFICE: (262) 925-6716 <br> @prairiewicom | OFFICE: (262) 694-930 |
|  |  |
|  |  |
|  | CHIEF OF FIRE \& RESC |
| neerng ofarar | Office |
| Mat Meour ${ }^{\text {Pe }}$ |  |
|  |  |
|  | Sersel |
| KURT DAVIDSEN, P.E. ASSISTANT VILLAGE ENGINEER |  |
| Oericeiver | PUBLIC UTILITY CONTACTS WISCONSIN DOT |
| works Depariment |  |
|  |  |
| ORECOR of pull work | KEWM KOEHME, P. |
| Aneman | PRRI |
| Emall iserimike | keinlommed |
| Rсскмurbir |  |
| coinsincion |  |
| EMall munduoveraiemicon | ERall milusatiom |
|  | Tos fieleom |
| Sofle | OFFIC |
|  |  |



| vilace oonsulimg | mobeariweri of atuval Resoures |
| :---: | :---: |
| PINNACLE ENGINEERING GROUP SENIOR PROJECT MANAGER OFFICE: (262) 754-8888 |  |
|  | PETER WOOD, P.E. OFFICE: (262) 884-2360 EMAIL: peter.wood@wisconsin.gov |
| ECONOMIC DEVELOPMEN | RUHUN GOONEWARDENA DNR AIR ENGINEER EMAIL: ruhum $\qquad$ |
|  | KELDORA ISHER <br>  EMAll: Rendid fisere |
| KABA TODD BATTLE <br> OFFICE: (262) 605-1100 <br> EMAIL: thattle@kaba.or | JASON KNUTSON <br> FFICE: (608) <br> EMAIL: Jason.knutson@ |
|  | AOMREAKLLER <br>  EMAIL: andrea.keller@wisconsin.go |
|  | oseph liebau <br> R FOR EXTERNAL SERVIG OFFICE: (414) 263-8570 |
|  | Emal: |


(A)

4. CELLING PLAN SYMBOL DESIGNATIONS

3. ROOM NUMBER \& DOOR NUMBER DESIGNATIONS















 1 GENERAL NOTES

PROJECT DATA:


PROJECT TEAM CONTACTS:









STEPHENHMERERCR




 a)
 a)



5. Coneaco












R


racem












ратии моориато

LAYOUT NOTES




3. All oumsions sum Af To fig Eof of
4. is shl pawn ment stremg shall ee wite in color.


LEGEND












