

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
October 8, 2012**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on October 8, 2012. Those in attendance were Michael Serpe; Donald Hackbarth; Wayne Koessler; Jim Bandura; John Braig; Larry Zarletti and Judy Juliana (Alternate #1). Thomas Terwall and Andrea Rode (Alternate #2) were excused. Also in attendance were Jean Werbie-Harris, Community Development Director and Peggy Herrick, Assistant Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE AUGUST 20, SEPTEMBER 10 AND SEPTEMBER 17, 2012 PLAN COMMISSION MEETING.**

Larry Zarletti:

Mr. Chairman, I'd move approval of all three.

Wayne Koessler:

Second.

Michael Serpe:

MOTION MADE BY LARRY ZARLETTI AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF ALL THREE MINUTES. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

John Braig:

Comment. In those minutes, after reading them carefully, the public hearing was never closed last meeting. Just a technical point.

Michael Serpe:

Should we re-open it?

John Braig:

It's still open.

Michael Serpe:

Alright.

4. CORRESPONDENCE.

Jean Werbie-Harris:

I have none this evening.

5. CITIZEN COMMENTS.

Michael Serpe:

We have a number of items that are public hearings tonight. If there's an item on the agenda that you wish to speak on that is a public hearing, you can hold your comment until that item comes forward. If there's anything else that you wish to speak about on the agenda, or anything off the agenda, now is your time to talk. And we'd ask that you come forward and give your name and address for the record. Anybody wishing to speak? Anybody wishing to speak? We'll close citizens' comments.

Wayne Koessl:

Mr. Chairman, before we go into the agenda, I'd like to move Item J up on the agenda tonight.

Michael Serpe:

Is there a second to that?

Don Hackbarth:

Second.

Michael Serpe:

THERE'S A MOTION MADE BY WAYNE KOESSL AND SECONDED BY DON HACKBARTH TO MOVE ITEM J. THIS PERSON HAS A COMMITMENT THAT IS SUPPOSED TO BE TAKING PLACE NOW. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

7. NEW BUSINESS.

J. Consider the request of Jack Williams, VP Operations of Central Storage & Warehouse Company for approval of Site and Operational Plans for a 36,800 square foot addition to their existing facility located at 7800 95th Street in LakeView Corporate Park.

Jean Werbie-Harris:

Mr. Vice-Chairman, members of the Plan Commission and the audience, the petitioner is requesting approval of site and operational plans to construct a 36,800 square foot addition to the existing Central Storage & Warehouse Company, CSW, located at 7800 95th Street in LakeView Corporate Park.

Central Storage & Warehouse Company is a public refrigerated warehousing company based in Madison, Wisconsin. The existing facility at 7800 95th Street in Pleasant Prairie is a food storage and distribution freezer warehouse of 74,184 square feet with a 58,000 square foot freezer and 7,600 square feet of dock space and the balance split between office and machinery rooms. The building varies in height from 20 feet at the loading dock to 40 feet as a high point of the freezer. Currently CSW has 15 full-time employees at this location. CSW is proposing to add 36,800 square feet to the east side of their building consisting of 32,412 square feet of freezer space and the remainder being dock space with six loading dock doors facing south. Shipping and receiving hours for CSW will not change from their current schedule mainly from 7 a.m. to 7 p.m. Monday through Friday with occasional weekends and evenings depending on their customer demand.

CSW operates on an appointment basis for pickups and deliveries. The additional space will allow CSW to better serve their existing customers and provide the opportunity to offer their services to new customers as well. CSW anticipates hiring two additional warehouse workers and one clerical staff as a result of this expansion. CSW will operate two shifts a day overlapping midday. The maximum number of employees on the site at any given time will be 20. Currently CSW has 16 marked parking spaces with three handicapped accessible spaces closest to the office entry.

Pursuant to the ordinance the following minimum parking spaces are required:

Warehouse/distribution facility require one space for every two employees during a 12-hour period plus the required handicapped accessible parking spaces. Therefore a total of ten parking spaces shall be provided on site plus the handicapped accessible parking spaces. If parking

becomes an issue due to expansions in employment additional spaces shall be added to the site since no on-street parking is allowed on 95th Street.

It is anticipated that approximately 60 semi-trucks per day will be serviced from the 13 available after expansion dock doors. The only automobile traffic generated by the business is the arrival and departure of employees and an occasional salesperson or visitor. All of the loading and unloading equipment, forklifts and transporters etc., utilize the enclosed loading dock area and aren't visible from outside the building.

The property is zoned M-2, General Manufacturing District, and the use pursuant to the use and occupancy classification specified in Chapter 3 of the 2006 International Building Code this use is classified as Storage Group S-2 which is low Hazard. Therefor the use is a permitted use in the M-2 District. The M-2 District requires that the building addition be setback a minimum of 65 feet from the property line adjacent to 95th Street, which is an arterial street, and a minimum of 45 feet from side and rear property lines

The location of the parking lots, maneuvering lanes and the fire access lanes, including the curb and gutter, shall not be located within any easements on the property and shall be set back a minimum 20 feet to property lines. Except in this particular case there is going to be cross shared access along their east property line. CSW proposes to pave the existing fire lane along the west and the north sides of the building and will continue the paved fire lane along the addition to the north and along the east side of the building. The paved fire lane shall be a minimum of 30 feet wide, not 20 feet wide as shown on the plans. The paved fire land shall be constructed prior to occupancy of the addition as required by the fire and rescue department.

CSW intends to sell 95 feet of land to their eastern property area to the landowner to the east, Fair Oaks Farms, and then the new fire lane will come around the east side of their building, and it's intended to be shared between CSW and Fair Oaks Farms. The fire lane is proposed to be centered right on that future property line. Fair Oaks Farms will be required to connect their paved access lane on the north side of their building to the new fire lane on the CSW property. The exact timing for this fire lane connection will be discussed with Fair Oaks Farms who is also planning an expansion. A CSM is proposed to be prepared for the land transfer and to identify all the proper easements on the particular property.

The M-2 District requires that at minimum of 25 percent open space, and with all the additional vacant land to the west of their existing facility they clearly meet this requirement. No additional landscaping is going to be required adjacent to 95th Street. The site is a screen along in that particular location so we're not requesting any addition.

CSW uses Waste Management for their waste disposal needs, and they don't generate any liquid waste from any of their processes. CSW does have a small quantity of refrigeration oil on site which when drained from compressors is returned to the manufacturer for recycling. CSW's entry and exit doors and fire sprinkler system are monitored by a central station alarm system and through ADT Security. CSW is also in the process of installing exterior and interior CCTV cameras as well. They anticipate no adverse impacts to the neighboring businesses as a result of this expansion. And the additional dock doors will make it easier for CSW to turn their semi trailers in a timely fashion and lead to less congestion on the adjacent 95th Street.

We do have representatives here if you'd like to get any additional information from them. Jack Williams specifically is here if you wanted to add any additional information.

Michael Serpe:

Jack, do you have anything to add to this. Just need your name and address for the record please.

Jack Williams:

Jack Williams, 40 North Baldwin, Madison, Wisconsin. I don't really have much to add. It's fairly cut and dried mirroring what we have there in terms of finish and appearance.

Michael Serpe:

Very good. Your pleasure?

John Braig:

Comment. I go past this site rather frequently, and there is a fair amount of I shouldn't call it congestion but involvement with trucks backing in and out of the site. And, of course, that's going to be worse now. I assume we have restrictions on the width of their driveway. But in backing in, especially if there are trailers backed up to some loading dock, but there's a vacancy or somebody wants to back another trailer in there, he has to execute something of an S-curve to get his trailer in there, and he doesn't hit it all the time. If we're going to have 60 trailers in and out of that site in a 12 hour day that's one every 12 minutes. Giving them some time for backing and jockeying it means somebody is going to be exiting or entering the site rather frequently and regularly. I wonder if we should look at a wider driveway which would permit direct backing in instead of S-curves.

Michael Serpe:

Do you have a comment on that, Jack?

Jack Williams:

I think mainly a lot of the suggestion will be relieve just by having the six additional dock doors. Right now we have to stage trucks on the left side with a parking lot there. And we usually have about trucks or drop trailers there pretty much all day long. So those trailers will now be in a dock. So people arriving will come in our west driveway, be staged on the west side, and then they will be actually with the new fire lane be able to drive all the way around, and rather than go out on the street and back in from the street they'll be able to come around and get the nose of the cab out the driveway a little bit and then back in.

Michael Serpe:

So you'll be okay.

Jack Williams:

Yeah.

Michael Serpe:

Okay, any other comments or questions? Larry?

Larry Zarletti:

Are you familiar with all the terms that the staff has put on this particular project and you're good with that?

Jack Williams:

Yes.

Larry Zarletti:

Okay. Mr. Chairman, with that I would move approval.

Wayne Koessl:

I'll second, Mr. Chairman. That's subject to the conditions outlined by staff.

Michael Serpe:

YES. MOTION MADE BY LARRY ZARLETTI AND SECONDED BY WAYNE KOESSL FOR THE SITE AND OPERATIONAL PLAN FOR CENTRAL STORAGE. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you and welcome. We like expansions like that. We're going to take tabled items A, B and C and New Business Item A all together, but when we come to vote we'll have to vote on them individually. Is that correct, Jean?

Jean Werbie-Harris:

Yes.

6. OLD BUSINESS.

A. TABLED PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-11 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88th Avenue and south of Bain Station Road for the development of a proposed warehouse distribution building 1) to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to change the low medium density residential land use designation and the Park, Recreation and Other Open Space Lands (not within any wetlands or 100 year floodplain designation) to the Industrial Land Use designation with a General Industrial category and removal of the Urban Reserve Area; and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment and 2) to amend a portion of the Pleasant Farms Neighborhood Plan to remove the residential single family lots adjacent to the cemetery, to allow the entire property to develop as Industrial (except for field delineated wetlands and the 100-year floodplain) and to amend the proposed layout of proposed roadways within and adjacent to the property.

B. TABLED PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88th Avenue and south of Bain Station Road for the development of a proposed 1.2 million square foot warehouse/distribution facility building to be known as Majestic Center. Recommendation: Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the Conceptual Plan subject to the comments and conditions of the Village Staff Report of October 8, 2012.

C. TABLED PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AND TEXT AMENDMENT for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co., for land owned by WISPARK LLC that is generally located on the east side of 88th Avenue and south of Bain Station Road to rezone a portion of the property that is zoned A-2, General Agricultural District into the M-2, General Manufacturing District.

7. NEW BUSINESS.

A. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-11 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN for the request of Adam Artz P.E. of Pinnacle Engineering on behalf of Majestic Realty Co to amend a portion of the Pleasant Farms Neighborhood Plan to relocate the proposed future high school site to the west; to amend a portion of the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to reflect the proposed location change of the future high school site; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. Recommendation: Village staff recommends approval of Plan Commission Resolution #12-11 to approve amendments to the Comprehensive Plan as outlined in said Resolution.

Jean Werbie-Harris:

Mr. Vice-Chairman, members of the Plan Commission and the audience, as Mr. Serpe has indicated, there are three items that are coming from our last meeting and brought forth to this meeting and one new item all related to the same project. And they relate to the tabled Plan Commission consideration Resolution 12-11 for amendments to the Comprehensive Plan as well as consideration of a conceptual plan and some zoning and text amendments. These all relate to request of Adam Artz, P.E. of Pinnacle Engineering on behalf of Majestic Realty Company, for land owned by WisPark, LLC. The property is generally located on the east side of 88th Avenue and south of Bain Station Road for the development of a proposed warehouse distribution building 1) to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to change the low medium density residential land use designation and the Park, Recreation and Other Open Space Lands designation not including any wetlands or floodplain area to the Industrial Land Use designation with a general industrial category and remove the urban reserve area.

Next to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include that amendment, and to amend a portion of the Pleasant Farms neighborhood plan to remove the residential single family lots adjacent to the cemetery and to allow the entire property to develop as Industrial, again, except for field delineated wetlands and the 100-year floodplain, and to amend the proposed layout of proposed roadways within and adjacent to the property.

Michael Serpe:

Jean, before you go any further. I erred. We have to take these three items off the table. That was John's. Next week he's going to yell at us.

John Braig:

So moved.

Wayne Koessler:

And I'll second, Mr. Chairman.

Michael Serpe:

MOTION MADE BY JOHN BRAIG AND SECONDED BY WAYNE KOESSL TO REMOVE ITEMS A, B AND C FROM THE TABLE. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? I'm sorry, Jean, go ahead.

Jean Werbie-Harris:

That's okay. And then the second item as requested by Adam Artz of Pinnacle Engineering, this relates to the modification of the Comprehensive Plan and the neighborhood plan, and it relates to changing the future high school site location as well as the related amendments of the Comprehensive Plan and the plan maps. Also, the next request is a conceptual plan, and that is to generally approve a 1.2 million square foot warehouse and distribution facility building to be known as the Majestic Center in Pleasant Prairie.

And then the last is the rezoning of the property. Again, there's just a small portion at the very north end of their referenced site that's currently zoned A-2, General Agricultural District, and that area is proposed to be rezoned into the M-2 District. And as you can see on the slide, the area identified in the blue/green area is the property that we're referring to. It's approximately 88 acres of land and, again, within the Pleasant Farms neighborhood. They're proposing a 1.2 million square foot warehouse/distribution facility to be known as the Majestic Center. So it's between the CP Railway, County Trunk Highway H. It's just south of Bain Station Road and then north of the Village's park and lake Andrea on that east side.

I've broken this up in the staff comments into four or five different areas. Again, what we are planning to do this evening is talk about the entire project at one time. And then the petitioner will also make a brief presentation about his company and what they're proposing to do. And then separate action will be needed by the Plan Commission as recommendations to the Village Board.

The first item is the conceptual plan. At this time there's no defined user for the building. So the conceptual plan indicates there will be a 1.18 million square foot warehouse/distribution center that's proposed to be built possibly in phases. The initial phase could be 750,400 square foot building with a 430,080 square foot expansion. Start up is anticipated for 2013 with approximately 100 employees. It's likely the facility could house two shifts with approximately 25 to 50 employees per shift. When a defined user is identified, the exact hours and employment information will be provided to the Village.

The next are the site and operational plans, and this is just to give some basic information for you and for the petitioner and the audience. Prior to the issuance of any permits, site and operational plan approval is required for the building and the site work proposed to be constructed. Site and operational plans must be prepared pursuant to the Village zoning ordinance. Along with these plans a traffic impact analysis known as a TIA is going to be required to be completed. And this is based on an identified scope of work that was agreed upon between the Village engineers and the Kenosha County engineer and public works director. This work needs to be completed as part of a study, and it does need to be presented back to both groups for our review and approval.

Also, depending on the use proposed, the tenants may also require a conditional use permit as well as site and operational plan approval by the Plan Commission. The Village zoning ordinance provides a process for a preliminary site and operational plan approval by the Plan Commission. This preliminary approval would allow for a mass grading of the site. This option may be utilized

if the floodplain boundary amendment is proposed to be completed prior to building on the development site. More detailed grading, drainage, storm water management plans and the floodplain boundary adjustment plans, as well as their calculations, will need to be submitted for the Village staff's review in order to complete any type of review for mass grading and a floodplain boundary adjustment for this site.

Also required for this site to develop is a certified survey map. The CSM must identify the dedication of additional right of way for the future widening of County Trunk Highway H per Kenosha County's requirements. And at this point they're looking for a 60 foot wide dedication 60 feet from center line and a dedication of the following easements: A storm water management facility retention pond easement; relocation or expansion of existing public sanitary sewer access and maintenance easement; landscape, berm and plantings access and maintenance easement basically right along the east side of County Trunk Highway H; a wetland preservation and protection easement; floodplain preservation and protection easement; as well as woodland preservation and protection easements. Again, once all these environmentals are clearly delineated in the field and have been field delineated and surveyed then they all can be reflected on the plans, the site and operational plans when they're advanced to the Village.

With respect to the 2035 Comprehensive Plan, on December 19, 2009 the Board adopted the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan. The land use plan map 9.9 sets forth generalized land use designations of the Village and shall be consistent with components of the Comprehensive Plan including any neighborhood plans as well as the Village zoning map. The neighborhood plans, as you know, serve as a refinement to the 2035 Comprehensive Plan map and identify the locations of any future lots and roadway configurations, proposed floodplain boundary adjustments, future storm water facilities and access to roadways pursuant to the plan map.

The Village's 2035 map is consistent currently with the multiple zoning districts on the property. The majority of the property is currently zoned M-2, General Manufacturing District. A portion of the property to the north is zoned A-2, General Agricultural District, and a portion of the property in the south and north areas are zoned C-1, which is a Lowland Resource Conservancy District, and they also have an overlay of an FPO which is a Floodplain Overlay District. Again, no new development can occur within the C-1 district or the Floodplain districts.

The next thing I'd like to talk about is the Pleasant Farms Neighborhood. And we've got a couple of boards over here that kind of show us in the middle board and also up on the screen there is the existing Pleasant Farms neighborhood plan, and then just to the right of that, and Peggy will be putting that up next, that will be the proposed neighborhood plan that we're going to be looking at this evening. The Pleasant Farms neighborhood is generally bounded by Bain Station Road to the north and Wilmot Road, County Trunk Highway C, on the north, Interstate 94 on the west, the CP Railway on the east, and approximately 93rd Street in the Prairie Springs park on the south. The neighborhood is located in U.S. Public Land Survey Sections 16, 17, 18 in Township 1 North Range 22 East in the Village.

The petitioner submitted their first amendment to the Pleasant Farms neighborhood in July of 2012. On August 10, 2012, the required 30-day notice was published in the *Kenosha News* for a September 10, 2012 public hearing before the Plan Commission. But on August 10th notices were sent to the property owners within 300 feet of the proposed neighborhood area. What happened

next was that the Plan Commission actually tabled this item at their September meeting because a second request was submitted by the petitioner in order to modify something else in this same neighborhood.

So instead of having meetings and public hearings one month after the next month, we decided to put both of their petitioned requests together along with the conceptual and other items all together on tonight's meeting. So that's why we have so many items related to the same matter on the agenda tonight. We did, in fact, send out new notices for the public hearing for this evening to all the property owners, and we published new notices in the paper so that there was no confusion. We did send out additional notices to everyone identifying the new changes to the neighborhood plan as requested.

So we have two requests that they have put forth. The first request from the petitioner is to amend the neighborhood plan and the 2035 Comprehensive Plan to allow for the development of manufacturing land uses east of 88th Avenue for the entire property. Their Tax Parcel Number is 92-4-122-162-0301. The amendment requires the reconfiguration of the proposed public streets and the lots in the property to the north and west of the development site. And I think Peggy probably already identified those areas for you. So it's the area just south of the cemetery, and then taking out the proposed public street and consolidating all of those industrial properties into one.

The second request from the petitioner is to amend the neighborhood plan and the 2035 Comprehensive Plan to identify the relocation of a proposed high school site from the west side of 88th Avenue to a more south/central location in the neighborhood. And they did this and requested this for a couple of reasons. But the primary reason was to minimize the potential for any conflicts between any future semi truck traffic from their site and the school busses/automobile traffic on 88th Avenue.

Let me also specifically say that this is not in the immediate future. Kenosha Unified School District just opened up all four grades basically of the third comprehensive high school this year. So this is not in the immediate future that a fourth comprehensive high school is going to be needed in the Kenosha Unified School District. But, as you know, we are planning for the future, and we are planning with this neighborhood plan and our Comprehensive Plan sometime between now and 2035.

The Village staff has discussed the school site location with Kenosha Unified School District staff, and they support the relocation of the future high school site further west in the south/central portion of the neighborhood. With the relocation of the school site the Village staff is recommending that a multifamily area be shown adjacent to 88th Avenue where the proposed high school site was originally located. As a result of the relocation of the school, some of the roadways and some of the single family development has been modified slightly, and there have been some additional intersections including some roundabouts that have now been shown and identified on the amended Pleasant Farms neighborhood plan. Further study and traffic impact analysis work are required when and if future roadway improvements and/or the roundabouts are being constructed.

As you can see as part of moving the school site to more of a centralized location, one of the benefits is that it's directly north now of Prairie Springs Park and where future soccer fields and

other amenities would be located within our facilities and our community park that could benefit that high school site. Also, some of the other initial concerns whenever you're locating a high school is lights and sound and noise and things like that. And the further that you pull some of those larger amenities like a stadium or ball fields away from the residential single family areas that has a tendency to be better and more well received by the single family development that locates in an area.

In addition, the amendment to the neighborhood plan also shows the as built location of the Village's sanitary sewer that was constructed as part of the abandonment of the Sewer D facility. Peggy was just highlighting the red area. Again, that's where the new sewer line is. And the Village has constructed a walking/bike path over that particular area. Exhibit Number 1 in your packets of the Plan Commission Resolution 12-11 has specific details that go beyond that for the neighborhood plan amendment. In addition to the changes to the neighborhood plan, the 2035 Comprehensive Plan map is being amended to make sure that the land use plan is consistent with all of the Pleasant Farm neighborhood plan amendments as presented. Exhibit 2 also shows the amendments for the Comprehensive Land Use Plan Map 9.9.

The next matter that is needed for consideration for this project is the zoning map amendment. As you can see on the overhead the area in yellow is the only area that is being rezoned as part of this amendment because the majority of this parcel was already zoned M-2, General Manufacturing District. As required by the Village's Comprehensive Plan, the zoning map and the Comprehensive Land Use Plan map shall also be consistent. Therefore, in addition to the above noted amendments, the zoning map amendments are proposed by Majestic Realty Company. And, again, this is for Tax Parcel Number 92-4-122-162-0301.

The portions of the properties that are being rezoned this evening or requested are A-2, General Agricultural District, and that's proposed to be rezoned into the M-2, General Manufacturing District. Portions of the property within the 100-year floodplain that are zoned FPO, Floodplain Overlay District, and the C-1, Lowland Resource Conservancy District, will remain unchanged at this time. Again, upon their completion of detailed field delineations for those environmental features, at that point any modifications that are needed for those environmentals they'll need to come back at a later date and we'll make those modifications to the maps.

With respect to the wetlands, shorelands, floodplain and woodland delineations on the property, those are our four main environmentals on this site. Wetlands, the wetlands were evaluated on the site in 1999, but they do need to be re-evaluated by a certified biologist since the DNR only recognizes wetland delineations for five years. If the locations of the wetlands have changed, then the Village zoning map and land use plan map will need to be amended by them. The wetlands areas are not to be disturbed and will be required to be shown as wetland preservation, protection access and maintenance easements on the certified survey map. Legal descriptions of the Wisconsin DNR approved wetland delineations will also be required to be shown on the CSM.

The next areas are the shoreland areas. Jerome Creek is located adjacent to the property. Now north is facing toward the Plan Commission and with the railway at the bottom. The creek has been determined to be a navigable waterway. The location of the ordinary high water mark will need to be field delineated by the Wisconsin DNR and shown in the plans with the legal description. The plans also will need to show the location of the 75 foot setback as well as the

300 foot shoreland jurisdictional area. Any work within the 75 foot setback will require a stipulated shoreland permit. And any work within 300 feet may require also additional permits such as a Chapter 30 permit from the DNR for the grading work.

With respect to floodplains on the site, the location of the 100-year floodplain associated with Jerome Creek shall be field delineated pursuant to the attached, and we have it in their packets and we've provided to the petitioner, pursuant to the DFIRM map panel 191D, and this is dated June 19, 2012 just recently adopted by the Village as well and the associated table for the Jerome Creek also identifies the 100-year floodplain elevations. The plans shall only show the 100-year floodplain as based on actual field elevations and as depicted on the DFIRM maps. According to the DFIRM maps a portion of the 100-year floodplain is located within zone A. No base flood elevation has been determined. So as a result a base flood elevation needs to be determined for this area prior to doing any floodplain boundary adjustment to assure compliance with the floodplain ordinance and the FEMA mapping.

The plans indicate that a floodplain boundary adjustment is proposed, specifically down right now it's actually in the southeast corner of their particular site. Detailed drawings, calculations and documentation must be submitted to ensure that the required compensation is being provided for the areas being filled. Again, compensation means cut and fill areas. In addition, it's required that any area proposed to be removed from the 100-year floodplain will need to be filled to two feet in order to be above the regional flood elevations by that elevation.

After the required floodplain information is received, the Village will request the Wisconsin DNR to remove the documentation on behalf of the Village. After DNR has completed its technical review and determines that the project does meet the minimum requirements, then this information will be set for a public hearing for a proposed amendment to the floodplain. And consideration of a preliminary site and operational plans to allow for mass grading of the site could occur.

The Plan Commission will hold the required public hearing and make recommendations to the Board. The Board will then consider a resolution of approval for the owner to obtain the required conditional letter of map revision based on fill which is known as a CLOMR. After the CLOMR is obtained from FEMA, an erosion control permit/NOI, can be submitted to the Village so that required permits can be issued for the initial mass grading and the work can begin. After the work is completed an as built field survey plan will be submitted to the Village and to the DNR to ensure compliance with the CLOMR and the Village's conditional approval. Upon review and approval then the DNR and the Village and the petitioner shall submit all the required documentation to FEMA.

I guess my point of going through some of this for you is that it's not impossible but there is certainly a process in order to cut and fill any type of delineated floodplain within the Village. It just requires approval by each agency from the local level up to the federal level. One of the things I did want to mention also is that once the final floodplain areas have been determined, we are going to be looking for easements to be shown on the CSM, that document where those floodplains are for permanent protection.

The last environmental area are the woodlands. The location, size and type of all existing trees and large trees along the north property line adjacent to the cemetery and east of the cemetery

along the north property line need to be surveyed with a detailed tree survey. This plan shall be submitted to determine which trees can be preserved and the location of the drip line areas that should not be disturbed. In particular, when I was out walking the site, there are some areas along that very north property line east of the cemetery a lot of large black walnut trees and such, and I'd like to see those recommended for approval and preservation.

So I'm going to be recommending a little bit greater setbacks in those areas so those trees are protected. As well as there are some very large trees adjacent to the cemetery. We can see what we can do to get some of those protected as well right near the property line. At a minimum a 30-foot wide woodland preservation, protection access and maintenance easement shall be located along the north property line east of the cemetery and shall be located on the CSM as well as the engineering plans in order to protect that drip line of those trees.

With respect to the site design and layout of their proposed project, the M-2 District requires that the building meet the following minimum setback requirements. Street setback of 65 feet from County Trunk Highway H, side and rear setbacks of 45 feet, shore yard setback of 75 feet from the ordinary high water mark of Jerome Creek, wetland setback of 25 feet, separation setback distance between any buildings 45 feet, industrial area parking setback of 50 feet minimum to any future residential lot area at the north east corner of the site. And at this time there is no setback to the 100-year floodplain. However, no structures are proposed in the 100-year floodplain, and any areas that they're bringing out of the floodplain need to be raised to an elevation two feet above the regional flood elevation.

Some other minimum setback requirements, a minimum of 20 feet from County Trunk Highway H right way for any parking or drive areas; a minimum of 20 feet from other private drives or roadways to the site and rear lot lines, again, except if there's a great setback such as a tree line setback of 30 feet; a minimum of 50 feet from the north property line at the northeast end abutting any future development; and, in addition, parking areas shall not be located within any easements unless there's express written approval by the easement holder.

With respect to site access and parking, as I mentioned briefly before, a traffic impact analysis, a TIA, will be required to be prepared, reviewed and approved by the Village and Kenosha County. The detailed scope of the traffic study is set forth as an attachment to this memorandum. Improvements as referenced in this study shall be constructed and will be required as outlined in the study. Also, an examination of speed limit reduction, possibly from 45 to 35 miles per hour should be examined on Highway H when full operation of the facility is going.

Some of the general TIA requirements include an operational analysis and recommended design of a two access point development adjacent to County Trunk Highway H. This includes the need for turn lanes, passing lanes and truck turning radii. Plans for the recommended ultimate future road improvements and right of way requirements associated with the proposed development which also includes Pleasant Farms neighborhood plan, bike or pedestrian path needs or plans. Next, development impacts, operational analysis and recommended improvements at certain intersections. We have had them look at a number of intersections on Highway H including at Bain Station Road, 95th Street and Highway C as a result of this development. A dedication of about 60 feet so that there's a total of a 120 foot wide right of way on County Trunk Highway H for future widening. And also we need to make sure to address is the five foot wide bicycle lanes

to be constructed on both sides of County Trunk Highway H by Kenosha County, and they are proposing to do that in 2013.

Employee, client, visitor vehicular and secondary truck access to the site will be from two driveways as proposed on Highway H. The northern entrance will be directly south of the cemetery. A detailed tree survey will need to be submitted to verify the exact setback from the north property line. The southern driveway will be located just north of a proposed retention facility which is approximately 900 feet north of the south property line. So Peggy has identified both of these locations. And, again, if we look back at the neighborhood plan that we talked about earlier this evening, it's important to note that there were no conflicts with respect to the proposed neighborhood plan and where they are proposing to do their two new entrances on the site.

All parking areas, maneuvering lanes, fire lanes including truck court will need to be improved with concrete vertical curb and gutter. The plan includes 314 automobile parking spaces and 416 trailer spaces. The truck court faces west, 88th Avenue, and east. Pursuant to the Village zoning ordinance the minimum onsite parking for the manufacturing use would be five spaces plus one space per employee on the largest shift, and the required handicapped accessible parking spaces pursuant to the State code. For warehouse distribution it's based on one space for every two employee during any 12 hour period, and the required number of handicapped accessible spaces, again, pursuant to the State code. Once we know the exact building size, the use and the number of employees, we'll be able to determine exactly what the adequate onsite parking needs are going to be for the facility.

With respect to public sewer and water, the development shall be served by public sanitary sewer and water. Municipal water is located in 88th Avenue, and public sanitary sewer is located within an easement, and Peggy is kind of tracing that path that actually runs on a diagonal and then traverses through the east portion of this particular property. The location of the parking areas, fire lanes and maneuvering lanes may be allowed over the existing sanitary sewer easement subject to certain conditions. Easement language will be provided by the Village for the CSM. It's important to note that the Village must be able to obtain easy access to and over the sewer main for maintenance purposes at all times.

The location of the proposed building, the guard station, the retaining walls and their proximity to the sewer line shall be further evaluated along with the amount of fill being placed over the sanitary sewer line. Extensive fill over the sewer easement will not be allowed. Further discussion related to the need for additional easement area or relocation of the sewer main outside of this development area as proposed at the owner's expense will need to be further discussed. If additional easements are needed or the public sewer is required to be relocated, then modified easements will need to be shown on the CSM.

With respect to grading on the site, the proposed site grading was not reviewed in great detail due to the large drawings and scale of the project that was provided to us. Grading plans for the development shall be provided at a larger scale. The grading and elevations of the building compared to the County Trunk Highway H road elevations is unclear but appears to be quite lower than the road. The grading shall be clarified and a street view rendering shall be provided which they have just since provided and you have as part of your packet of information. They have just provided that on Friday.

Driveway entrance details will also need to be examined as it appears that the entrance is somewhat wider than what's allowed by the ordinance. The entrance driveways/roadways will need to be located on the site to allow for the entrances that are not steeply sloped in order to allow for the transition of trucks to enter and exit the site. The owner's engineer shall use the proposed refined grading plan as a reference when preparing that traffic study that we talked about. Driveway designs to allow an entering vehicle maximum turning speed of 15 miles per hour to help reduce interface with the County Trunk Highway H through traffic.

And, finally, with respect to the open space, storm water retention and landscaping, the M-2 District requires that at minimum that there will be 25 percent of the site to be open space. As you can see, there's a great deal of green area and open space on this site due to the large amount of wetlands, floodplain and storm water basins on the site currently. The site and operational plans will need to provide the area and the percentage, however, of open space on the site to ensure that the minimum is continuing to be met. The retention basin edge shall be a minimum of 20 feet setback to the County Trunk Highway H right of way after the roadway dedication.

The truck dock areas adjacent to 88th Avenue will need to be extensively screened with a combination of berms and evergreens and other more dense-like landscaping. If adequate screening cannot be accomplished by berming, a minimum of four feet, desirably higher if we could get it, and landscaping plantings at a minimum of six feet at planting alone, then we're going to recommend some type of retaining walls or fencing but not chainlink or wood to be installed to help screen the site from the adjacent highway and the bike trail and the existing future residential to the west. All berms, fencing and landscape screening shall be installed with the adjusted property boundaries after the dedication of that additional right of way on 88th Avenue. In addition, the owner will be required to install street trees adjacent to the roadway within County Trunk Highway H per the Village's requirements.

So with that, I would like to continue our public hearings. There is a representative here from Majestic, John Semcken, and he is prepared to make a brief presentation regarding the Majestic Company and what brings them here to Wisconsin and to Pleasant Prairie.

Michael Serpe:

John, I think we'll get you up first. We'll need your name and address for the record. Thank you.

John Semcken:

Thank you Mr. Chairman, Commissioners and staff. My name is John Semcken. I'm the senior vice president of Majestic Realty, 13191 Crossroads Parkway North, City of Industry, California, 91746. My phone number is 562-948-4306. Thank you very much for giving me an opportunity to talk about Majestic. I have been one of the partners at Majestic for nearly 17 years now and have had opportunities to work in several different jurisdictions. And I wanted to praise your staff for the thorough job that they've done. And I want to thank them for giving me an opportunity to talk about Majestic.

Majestic is the largest privately held real estate development company in the country. There are about eight firms bigger than us and a bunch of firms behind us, but every one bigger than us is a

public company, a stock company. We're a family company that was started in 1947 by Edward P. Roski, Sr. and now run by his son Edward P. Roski, Jr. who joined the firm shortly after getting out of the military in the '60s. We're largely a logistics company, and I'll get into some of the other things that we do. We started in Los Angeles. We have had headquartered offices in Los Angeles, Las Vegas, Denver, Dallas, Atlanta and Bethlehem, Pennsylvania. And we have buildings and opportunities in all the other states that you see there. We do show that we already have a building in Illinois, but it's one small building that Mr. Roski, Sr. built back in the '60s but it's a building, so we do include Illinois. But the center part of the country is one of the places where we have not been successful, frankly, in getting out -- it's competitive business, and it seems like people are constantly more competitive than we are. But it is a very important place for us.

Where you'll find our buildings are typically around ports, airports, rail lines and areas where significant distribution is needed to cover the population. Because mostly what we do are distribution warehouse facilities. That has changed over time in the '60s and '70s. We were building manufacturing buildings. In California you may or may not know California is not a very friendly place to have employees any longer so there's not a lot of manufacturers left in California so we've had to change our business model.

But we do have properties that we're looking at here in the Midwest and, frankly, it's our number one focus. Two of the three partners on this project are from Illinois, and third one's mom was born in Rockford, so the three of us have roots here, and that's why we've wanted to come back. Our families are here. So when we get back to the Village of Pleasant Prairie we get to see our families down in northern Illinois.

Our company started in 1948. I already gave you our offices. We do large projects, anywhere from the size of where we are now with 88 acres on up to 1,000 acres with master plan business parks much like what the WisPark park is what we would do as one company, and we've done those all over the country. We currently own about 70 million square feet of buildings, of industrial warehouse, office, retail. We have a couple of specialty buildings that I'll talk to you about in a little bit. But our predominant business of what we do is industrial. And that has led to some of the decisions that we've come to work together with on the staff about relocation of some facilities which I'll get to in the future.

This is just an example of some of the buildings. This is a building in one of our newer parks in the City of Industry, California. The one thing about Majestic Realty, and the reason we have 70 million square feet is, I don't want to say we never sell because that would be an incorrect statement, but Mr. Roski just doesn't like to sell. Those of us young guys who would like them to sell every once in a while so we can pay for our kids' college, he says, no, you live on the cash flow and you die on the cash flow. And so that's what we've been doing. And so we've become part of every community that we've ever been in, and I'll talk about our foundations and the things that we do. Because once we're here, we're here for a long time. For the most part, actually in every condition that ends up being a good thing for a community and not a bad one and we're very proud of it.

We have several different related entities, so we typically will -- Commerce Construction is a wholly owned construction company, and we typically will build our own buildings but not always. In certain areas there are special construction techniques that we are not familiar with

and this may be one of them. We may use local construction companies. But our construction company will still design the buildings. We manage our own buildings. We have a retail division. And the third part there is the Majestic Realty Foundation. And what that does is every one of us, the partners when we come into a community, we donate portions of our development fees, our commissions, and all the other fees that we make as a result of the development. And then Mr. Roski matches it 100 percent, and then that money is spent in the local community. So we work with the communities to figure out where they want that money to go, and in the good days that fund is a really large fund, and in the bad years it's a small fund, but it's a constant fund and we do it every year.

We do have a second foundation that isn't related to our developments. Mr. Roski is a former Marine, I'm a former Naval Officer, and my partner Kent Valley is a former Marine, and we started the Land of the Free Foundation which is a foundation where we donate a million dollars a year between the three of us to military charities to support the men and women in the armed services who work and sacrifice every day to make sure we always live in the land of the free. And so that's our other foundation.

I had already spoken about our long-term interest. We try to do everything in house and vertically integrated. So we start with the guys like myself and Taylor and Joshua in the audience. We go find the land. We work with the entitlements of the land. We hand it over to the construction company to build the buildings and they hand it back to us to lease the buildings, and we hand it over to the property management company to manage the buildings, and they hand it back to us to lease the buildings when the tenants move out. And so we stay, and it doesn't become a difficult thing to find us because we're always there.

Because of the size of our portfolio we're turning about a billion dollars a year in loans for the construction and financing on our real estate portfolio. And about 60 percent of Fortune 500 companies are tenants in our buildings. That's how our company has grown. When we move from Los Angeles to Denver or Los Angeles to Atlanta one of our clients in Los Angeles asked us to be in Atlanta, they asked us to be Dallas, they asked us to be in Denver. And so we went there and found, and so we now have some significant client interest from our clients and the distribution who want to be in the southern Wisconsin/northern Illinois area and that's, frankly, the reason we're here.

And we're very proud of our retention rates and our tenants they grow with us. And one of the things that's interesting is when they're in a 300,000 square foot building and they need a 500,000 square foot building we build them a 500,000. We rip up the lease on the 300,000 and we lease that to somebody else. And then they need a 800,000 and we rip up the lease on the 500,000 and we move them into the 800,000 and we release that. So we've grown because our clients grow. And even though sometimes it's a little bit risky to be ripping up a lease on a very large building, it ends up you grow with your clients, and it's been very successful over the years.

This is another example. That building right there you see if every refrigerator, stove and oven for General Electric in Los Angeles comes into that building right there. It's 1.3 million square feet. You can see we started at 300,000 and we built the 600,000 and we went from 600,000 to 900,000 and we went from 900,000 to 1.3 million. So the building just grew as we went. And so those are the types of buildings we see. You can't tell the size, but that building right there you could put four Queen Mary's and seven Statute of Liberties laying down sideways in that building

right there. I apologize for giving you all the California trees, palm trees, but we're a California-based company, but that's the entrance to that large building you see there. Those buildings, you can see that landscaping right there, are nearly 25 years old. So it gives you the idea that we do keep these buildings up and maintain those for the long term, and we'll always do that.

We also have a small resort and hotel division. I'm the owner along with Mr. Roski. The property you're looking at here is the Pacific Palms Resort which is in the City of Los Angeles. It is the only full service resort, golf course facility, believe it or not, in the entire County of Los Angeles. That's the only way we stay alive because we're the only one. It's 600 acres in the heart of Los Angeles County, and we're very proud of it. It has two 18 hole golf courses, meeting rooms and other facilities for corporate businesses and training.

I was also the developer of Staples Center. I'm one of the luckiest humans you've ever met, but to have flown airplanes off aircraft carriers and built Staples Center and now football, it's been a fortunate career for me. But we built the Staples Center for the Los Angeles Kings and the Los Angeles Lakers and the Los Angeles Clippers and the Los Angeles Avengers before that went under. And now I don't even know the name of the Los Angeles indoor Lacrosse Team, the Los Angeles Sparks, the WNBA team. They're all housed in Staples Center. The Staples Center has over 300 event nights of entertainment and sports a year. We also bought all of the land for what is now known as LA Live, the entertainment corporation development. And so that development, frankly, changes the face of downtown Los Angeles and has been instrumental in bringing life into what was a rather moribund downtown.

That's our football stadium. My partner here Taylor Talt and I have worked on this particular stadium in the City of Industry for the last six years. And before Taylor joined us Taylor was in the White House for Vice President Dick Cheney during the Bush administration, and then he came to join me here at the football stadium. Before this we worked for ten years to renovate the historic Memorial Coliseum, and the National Football League didn't want to go into an old building. So we had to find a new site. Hopefully this project will break ground in the next six months, and we'll bring a team from another city. Green Bay is not available, and I wouldn't have the guts to try anyway. So it's a large three million square foot project with an 80,000 square foot stadium, 172 suites and 15,000 club seats and entertainment and retail throughout. And then about 1.5 million square feet of office development.

That's the Chairman of the Board of Majestic Realty, Ed Roski. He has run the company for the last 15 almost 20 years I guess. His dad passed away in the early 2000's. He's an incredibly philanthropic man. As I said earlier he is a former Marine. He's the Chairman of the Board of Trustees at USC. He's on the Art Museum, he's on the Natural History Museum Board, he's on the Board, as I said of USC. He's an avid explorer. What I used to tell people about Ed is when I go on vacation I like to go to a destination resort. Mr. Roski just takes off the word resort, he goes to a destination. So he's climbed to the base camp at Mt. Everest and K2. He's swum with sharks off the coasts of Australia and canoed up the Sepik River in Indonesia. I think he's crazy, but he's an incredible guy and a remarkable human. And it's his leadership, frankly, that leads us to a lot of the other things that we do outside of our real estate careers.

That's the most handsome guy in the room. Just kidding. I spent 12 years in the Navy. I got out of the Navy and was fortunate enough to have entered into the real estate business. I have worked with Majestic for the last, as I said, nearly 17 years. My projects in Houston and

California and New Jersey and hopefully Pleasant Prairie, Wisconsin total about 15 million square feet and they're growing. In addition to that I do the football stadium and the public development for the company.

Next, my two partners, Taylor Talt, as I said earlier, he joined us in 2008 and started with the football project. But he actually was a senior advisor in the Bush administration and worked directly with Vice President Cheney in the 2004 re-election campaign. He's a former quarterback for the University of Southern California Trojans. We don't hold that against him. He got hit one day by Troy Polamalu in practice, and he decided to go into the real estate business. So we've really been fortunate. Taylor is the one whose mom grew up in Rockford.

And the next one is Josh Wheeler. Josh is with the company since 2005. He had started in our office division and does a lot of our office building developments and leading the asset in property management leasing for our office about 2.5 million square feet of office in Southern California. He grew up here in Chicago. His father was a real estate guy here in Chicago. We sent him back, sort of like sending the trial balloon out there, and he's the one who, frankly, came out here and has helped us find a lot of the locations to get going.

I talked a little bit about Majestic Realty Foundation. We've only had it a short period of time, and we've given away millions of dollars. And the key element is everything we make here we donate a piece of that and the company chairman matches it, and we have to spend it here. We can't take the money that we've earned in Pleasant Prairie and spend it in Dallas. And we can't take the money in Dallas and spend it in Pleasant Prairie. So our goal is to be very successful here and be part of the community, and we've gotten to know it fairly well in the last couple of months.

Why Pleasant Prairie? I started off with that. But, frankly, those of us in California felt your pain earlier this year. We looked on the television screens at your capital in Madison, and what one thing we thought was really unusual is that all of the union leaders from our community were standing in your capital. So just so you know we understand what you went through and we're your biggest supporters. So when I saw Maria Elena Durazo, the head of the AFL-CIO in Los Angeles standing right front and center screaming with a sign and to the press in Madison, Wisconsin I said, oh my goodness, maybe I don't want to go there. So on one part it shouldn't be a reason but it's a big reason why we're here.

But the second reason is, frankly, our tenants have asked us to come into this marketplace. And we're looking at projects in northern Illinois and in Wisconsin, and we plan to be here for a long, long time. The strategic location next to the freeway. The business climate both not only from the community but from the State and the economic development directors that we've been dealing with have been very positive. We can't tell you the difference we experience. We go all over the country, and the experiences that we get change in New Jersey and Pennsylvania and Houston and Pleasant Prairie and LA and Denver they're all different. They're not necessarily any easier, but they're a lot of times much more efficient and able to get things done, and we're very happy here.

The industrial real estate department vacancy rate in this part of the country is very favorable. There are tenants who need -- one of the things about the larger buildings that we do they become much more efficient on a square foot basis. They have much less traffic per square foot because of the efficiencies of the building. And we see that efficiency becoming more and more important

to the tenants as they grow so they'll move from three buildings into one building for those efficiencies.

Two of the things that are in front of us that Jean asked me to speak to, and I'll answer those were the changing of the neighborhood plan and the relocation of the school. The neighborhood plan at least with respect to the zoning it seemed obvious they had a border on the north with the cemetery. And then there's a little sliver of residential that came into the site. And having residential adjacent to an industrial facility with trucks and things didn't make much sense. And the ability for us as you see on the plans that were presented earlier we lose a great deal of the site because of floodplain issues, because of wetland issues, because of other setback issues. And so to be able to take some of the site along the northern boundary there near the cemetery and the residential plan and create that as additional industrial seemed to make sense. And I think the staff agreed with that and we went through that.

Like any other real estate development we then got deeper and deeper into the weeds because the WisPark guys have been really great, and they've done a lot of work in this area obviously. They've given us a lot of information, and we've gotten a lot ourselves. But then when we got to the plan that showed the school across the street that gave us pause only because it's not like we know more than other people know, but we've built a bunch of industrial buildings and we've built them in places and we've learned lessons. And one of those big lessons is these buildings impact people and they impact facilities. And when you have those impacts, especially when it comes to kids, at the end of the day it doesn't work out very well.

You have large trucks coming in and out of facilities like this. And so we didn't think that school buses and kids racing out after school trying to get home to do their homework or racing to go see their girlfriend or getting over to the baseball game or football and trucks are good interactions. In addition, with respect to air quality and things, it's not as big of an issue here in Wisconsin as it is in southern California, but we think it may be an issue. And to have diesel trucks and schools next to each other sometimes we don't think it's a good idea. So we asked the staff if we could find a location to relocate the school. The staff recommended this location. And, frankly, it really does even work better. We knew this wasn't something that was going to happen for 20 or 25 years, but we didn't want to be addressing -- we're going to be here 25 years from now, and we didn't want to be addressing that problem then.

By putting it on the southwest corner of the site, all the lights from the ball fields and everything shine away from the community. And so that area won't be impacted with light. The area long the community park on the south could have co-usage of facilities in terms of soccer fields and those things and so it made a lot of sense. And then the kids are, most important, the students are away from the industrial uses of the warehouse facility. So that was our thinking going into this process. And, frankly, that was the last thing that changes us to have to delay last month's Commission hearing, and we apologize for that.

We want to thank the WisPark guys because they've been very patient with us. We're from California, and we get a little shell shocked the way we get treated there. And so when we come to other places we're not used to having people be friendly to us, okay? So we wanted to make sure we had all of our ducks in a row before we went through, and that was the last change. So that's Majestic Realty, John Semcken, Taylor Talt, Josh Wheeler in a nutshell. I'm happy to answer any questions or I'll sit down because I've already spoken too long.

Michael Serpe:

Thank you, John. It's a public hearing. We'll take comments, and if we need any more we'll call you up.

John Semcken:

Thank you, sir.

Michael Serpe:

Thank you. This is a matter for public hearing. Is there 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.

Don Hackbarth:

A couple of comments here. On page 2 of one of the documents, it talked about the wetland preservation. There are trees on the south side of that property I think between the Tech Academy and this property.

Jean Werbie-Harris:

Are you talking about south of the blue line?

Don Hackbarth:

South of this property.

Jean Werbie-Harris:

Yes, that's not part of this development and nothing is intended to be touched at that location.

Don Hackbarth:

Okay, I wasn't sure. The other thing, too, is the dirt that's stored there is that dirt going to be staying on property to grade the property.

Jean Werbie-Harris:

The stockpiling of fill?

Don Hackbarth:

Yes.

Jean Werbie-Harris:

Maybe that's a good question for either John or --

John Semcken:

Yes, sir. That's [inaudible].

Jean Werbie-Harris:

John, you need to come up to the microphone.

John Semcken:

That's fill in order to make the level. And there is a chance there will be a slightly greater amount of fill being brought to the site.

Don Hackbarth:

As long as you're here, will you take advantage of the railroad spur going by?

John Semcken:

We don't know is the proper answer to that. We would have to build a bridge over the floodplain and over the rail. If somebody wanted it and was willing to pay for it we have designed the buildings to be able to accommodate it. But the answer is we don't know.'

Don Hackbarth:

Okay. The other thing, too, is do you anticipate any kind of expansion here in Pleasant Prairie?

John Semcken:

Hopefully.

Don Hackbarth:

We hope so, too.

John Semcken:

We drove all around today.

Don Hackbarth:

The last comment I have it to you, Jean. Bain Station and Highway C that intersection is terrible. And I noticed on the plan that you don't have it squared off or anything. Before there's anything

built I think we should think maybe squaring that off or a roundabout there or something because that is a terrible intersection.

Jean Werbie-Harris:

So at Bain Station --

Don Hackbarth:

Bain Station and C.

Jean Werbie-Harris:

And C.

Don Hackbarth:

Right there.

Jean Werbie-Harris:

That's identified as a future roundabout. Maybe our Village Engineer could answer, but it's something that Kenosha County is looking at right now.

Mike Spence:

Yes, that's part of when traffic analysis is done we're continuing to look at that intersection. I've been talking to the County, and they have identified that as a roundabout. And if that was the case they would square that off so that you don't have those odd angles like at Springbrook and 165 how they make them so that they're right angles.

Don Hackbarth:

Thank you.

John Braig:

Two comments. This area is zoned manufacturing and dates back to when there was a proposal for a power plant on this site. Since then there's an awful lot that's changed. Actually I think WisPark is a little bit out of bounds on this one. The area to the north and west of this is residential, and there was a nice barrier between WisPark and the residential areas. You had the lake, the park, the RecPlex, the Technology Academy. These all functioned as a barrier between WisPark and the residential area. Now you've got WisPark moving out into what is a residential area. And it just seems like I mean I'd love to see them move into the Village but I'm thinking on maybe the south end of the park would probably be better or more appropriate.

The second point I want to make in the event that this does go through and we're speaking of relocation of the high school site, at first glance Central High School has all the access in the

world you could ever want for a high school. It abuts Highway 50, it's fantastic. They just spent a small fortune putting in a second access out to the south of the high school. As I look at this high school site it's got somewhat limited access. And maybe my eyes aren't good, but I don't see a straight road off of Highway C, Bain Station Road or H that leads directly to the high school. And I think that should have fast and straight access.

Jean Werbie-Harris:

I'm going to answer the second question first, John, and that has to do with access to the high school site. One of the things that we looked at is possibly having a straight shot directly out to Highway H directly east of the high school site. We thought about that, but then there's already an existing connection point on the north end of Prairie Springs Park. So somehow, and I'm not sure exactly how this would work, but somehow this point needs to be that connection point going to the high school site. We don't want to have multiple access points within close proximity to one another on a county trunk highway.

John Braig:

Is that a roadway there now?

Jean Werbie-Harris:

No. This is a roadway right here, 93rd Place, and then it continues as Park Drive throughout the west side of Prairie Springs Park. But this is not. And, again, at this point we just kind of showed it as a point of connection. But somehow we want to make this connection right here so that there is an east/west connection.

The next thing is that we do have actually on the east side of the high school site a direct going direct north/south. It's actually pretty wide. It's identified as a collector street. Basically proposed as four lanes, does have some roundabout in it. But, again, that will be the main north/south road that takes you north/south from the school site. Basically it takes you to Bain Station Road, and then this is 94th Avenue that actually takes you all the way up to Highway 50.

The other thing that we'd identified is a number of other access roads or points of connection that can take you east/west from the school site. Again, we're somewhat limited from going to the west because of the fact that we've got the Des Plaines River, we've got that slew that runs through here at this angle. And we can't get anything through from that direction. Possibly we might be able to get something through to the south as well. But, again, we do have a representative here from Kenosha Unified School District, so we do have one point, two, possibly three, four, five points of connection away from the high school. And, again, they're controlled points as opposed to having every single subdivision road dead end to that location.

Again, some of our bigger concerns were noise, lights, traffic from big events. And, again, I think Unified you see more complaints from the area neighborhoods from all the different events at Ameche Field than if there was a situation where it was controlled and the lights and everything and signage were facing an opposite direction. So we have, in fact, looked at that and worked with Unified to come up with a site that could work for everyone.

The second thing that you mentioned was with respect to the manufacturing for this particular location. Actually since about 1996 or 1998 we've been thinking long and hard about having that being some type of light manufacturing or general manufacturing location. The problem being is that we've got the We Energies stacks right across the street, the cooling towers. The cooling towers are directly across the railroad tracks. And with the traffic coming north and south from the industrial park and all the environmental features right here and the railroad tracks, this really did not seem to be a good residential site for the Village. And with all the commercial development we have along Highway 50, we've got some at Highway C, we have that at very specific locations. We were starting to get somewhat limited with the type of land use that would be best suited for that particular location.

Don Hackbarth:

The gas company was wanting to go in there, too.

Jean Werbie-Harris:

Badger Generating was looking to go there in the early 2000's, and that would have been a good site for them at that location. But since you know that they abandoned that site and the property went back to the owners. And so it really seemed to be a site that warranted some type of manufacturing or in this case, which is even better, industrial warehouse.

John Braig:

I was at a facility last week which has an awful lot of traffic coming and going. And it is designed that there are three lanes entering of discharge or pickup area. Now, I know a high school won't have maybe quite as much of this traffic, but there should be a good circulation route so vehicles can come pickup or drop off and exit.

Jean Werbie-Harris:

And we've got that on this site. And actually it was laid out by -- this school was laid out by the architects for the school district. We didn't lay this out. And so they've identified traffic lanes that come in and go through the site. They've identified the drop off areas right here. They've identified a separate area and parking right here for the stadium and future ball fields. So they have taken great time to take a look at this and to lay out this layout for us so that it would work for a future site.

Michael Serpe:

Go ahead, name and address.

Daniel Johnson:

My name is Daniel Johnson, and my address is 6728 49th Avenue, Kenosha, but I have a business here in Pleasant Prairie. I just second John Braig's comments in regards to a traffic pattern for 3,200 people showing up at one time of the day and all leaving another 3,200 at another time of the day or a sports event. It just looks like the wrong corner.

Michael Serpe:

Well, it's a long way and much more detail has to be put into this thing. So we'll be working on it.

Daniel Johnson:

Wetlands won't change.

Michael Serpe:

That's true. Any other comments? Jean, anything else?

Jean Werbie-Harris:

The staff does recommend approval of all of the various requests this evening but subject to all the comments and conditions. I'm not going to read them into the record. There's several pages of them. So I just wanted to make you aware that that's one of the conditions for approval this evening.

Michael Serpe:

And the petitioner is aware of those as well?

Jean Werbie-Harris:

Yes.

Don Hackbarth:

Move approval of Plan Commission Resolution 12-11 for amendments to the comprehensive plan.

Jim Bandura:

Second.

Michael Serpe:

MOTION MADE BY DON HACKBARTH AND SECONDED BY JIM BANDURA FOR APPROVAL OF RESOLUTION 12-11. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed?

John Braig:

Aye.

Michael Serpe:

The ayes have it. You're opposed, John?

Wayne Koessl:

Mr. Chairman, I recommend approval of the zoning map amendment as presented.

Michael Serpe:

Before we get to that vote, you heard John's. And a motion for approval of the conceptual plan, is that correct?

Wayne Koessl:

Zoning map amendment.

John Braig:

Conceptual plan.

Wayne Koessl:

Okay.

Michael Serpe:

Is there a second to that?

Jim Bandura:

Second.

Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND SECONDED BY JIM BANDURA FOR APPROVAL OF THE CONCEPTUAL PLAN. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed?

John Braig:

Aye.

Michael Serpe:

One opposition.

Larry Zarletti:

Mr. Chairman, I would move Item C the zoning map amendment.

Wayne Koessl

Second.

Michael Serpe:

MOTION MADE BY LARRY ZARLETTI AND SECONDED BY WAYNE KOESSL FOR APPROVAL TO THE ZONING MAP AMENDMENT. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed?

John Braig:

Aye.

Michael Serpe:

One opposition. And Item A? We don't have to vote on this again, do we Jean, because it's a new item, Item A on new business that was taken up on the tabled item so that's it, right?

Wayne Koessl:

That was discussed with the --

Michael Serpe:

Yeah, that's done. Majestic thank you. Sounds like a very interesting project.

Don Hackbarth:

Welcome to the neighborhood.

Michael Serpe:

Great presentation. We look forward to working with you. Thank you.

B. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-13 FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN for the request of Martin Hanley, President of Land & Lakes Development Company to amend the Village Green Neighborhood Plan and to approve the Village Green Center Sub-Neighborhood Plan.

Jean Werbie-Harris:

Members of the Plan Commission and the audience. I am going to give you a little bit of a history lesson here, where we've been and where we're going. I know many of you have heard it before, but it doesn't hurt to kind of recap kind of where things are again with respect to our history of our Village planning efforts for our Village Green Center.

In the winter of 2004, nearly 15 years since the Village's first discussions emerged regarding the creation of a Village Center, Pleasant Prairie LLC, the owner and developer of a large portion of the area contracted with Schreiber/Anderson Associates, Inc., a planning and architectural firm from Madison, Wisconsin to jumpstart the visioning process with the community in order to prepare a plan for the Village Green Center.

As a part of this Village Green Center planning effort, the Village Board re-appointed a Village Green Technical Advisory Committee comprised of Village residents, Village Board, Plan Commission, Park Commission members, and Kenosha County Highway officials, together with the assistance of the Village staff, to provide input and to develop a Village Green Neighborhood Plan and a mixed use commercial center to be known as the Village Green Center. In 2006, a new developer purchased the property and is organizing a marketing and design team to continue that planning and the development of this property.

In 2007, the Village held the first Village Green Café to assist in the conceptual planning of the Village's downtown. The first café that was held on November 15, 2007 to provide information about the Village Green planning process, to form a vision of the Village Green Center, to provide information about what makes village centers successful, to discuss places that people liked and what they didn't like and what issues and opportunities needed to be further explored.

A second café was scheduled for January 17, 2008 to discuss concepts for the future development of the Village Green Center including proposed land uses, open spaces, streets, infrastructure, and development character for the Village Green Center.

During 2009 and 2010, the developer and its consultants worked with the Village staff to prepare a master plan for the development of the Village Center; a series of workshops were held between June and September to gather input related to the transportation, architectural and landscape features and elements of the plan. The planning work continued into 2011 and 2012 which brings us to our current planning efforts.

At this time, Martin Hanley, President of Land & Lakes Development Company and agent for land owned by Pleasant Prairie LLC within the Village Green Center, is requesting approval of an amendment to the Village Green Neighborhood Plan and approval of the Village Green Center sub-neighborhood.

On December 19, 2009 the Board adopted the 2035 Comprehensive Plan. The plan map sets forth the generalized land use designations of the Village, and it needs to be consistent with the comprehensive plan, the neighborhood plan and the zoning map. The neighborhood plans serve as a refinement to the comprehensive plan.

The comprehensive plan defines the Village Green Center sub-neighborhood as a sub-neighborhood within the Village Green neighborhood. The neighborhood is generally located south of 93rd Street, west of the Kenosha County Bike Trail, which is approximately 30th Avenue. It's north of Highway 165 which is 104th Street and east of approximately 55th Avenue. It's all parts of Sections 23 and 24, Township 1 North, Range 22 East in the Village.

The Village Green Center is generally located also south of 97th Street and west of approximately 37th Avenue. It's proposed as a mixed use commercial residential development which encompasses approximately 183.5 acres. The Village Green Center is also a Smart Growth area as discussed in our comprehensive plan. The Village Green Center is intended to be the center of our community both functionally and symbolically. The Center is located, again, northeast of 165 and Springbrook Road intersection and northwest of Springbrook and Highway EZ which is 39th Avenue. It's away from the busy regional highways like Highway 31 and Highway 50.

The Village Green Center will feature more neighborhood oriented commercial and residential land uses. While the Village Green Center is located away from existing commercial corridors, it will feature a transit stop that will link to future transit services to Kenosha and other Village recreational, retail and employment areas.

The integrated mix of commercial, residential, open space uses and the variety of housing types within the Village Green Center will become a unique way to create a high quality, walkable center of Village life. While the street and open space network is established by this sub-neighborhood plan, the future development regulations will allow some flexibility in the form and the intensity of development. It is anticipated that the Village Green Center will develop incrementally over a long period of time. Therefore, the plan is intended to permit flexibility within a predefined range of acceptable outcomes. To accomplish this, a specific and detailed regulatory framework will be developed to guide development and to ensure high quality development and that a desirable neighborhood is developed over time.

To best respond to the site's location and topography and evolving market forces for the neighborhood commercial, mixed use and residential units, the plan enables a limited range of permissible building types and uses by a block-by-block basis. While the new regulations for the Village Green Center will provide flexibility, the scale and character of the development will be tightly controlled through design standards. Due to this flexibility the Center plan provides a range of minimum and maximum acreages for commercial, mixed use and residential development.

So this evening we have the neighborhood plan Map 29a-1 in Exhibit 2 of Plan Commission Resolution 12-13. And we'll be talking in a little bit more detail about these two. At this point, though, what I'd like to do is introduce John Hoffman, and he is the consultant's architect, planner, representative that has put together a PowerPoint presentation that he'll kind of go through with for you as well as for the audience.

Michael Serpe:

John, name and address and we're all set to go.

Jon Hoffman:

My name is Jon Hoffman. I'm an Associate Planner with SmithGroupJJR. My address is 625 Williamson Street, Madison, Wisconsin, 53703. Thank you very much for spending a little bit of time this evening on a very busy, long schedule to talk about the Village Green Center. Excellent introduction by Jean on the background and the history that we've had in preparing the Village Green Center. Why all this background? It's important because we're talking about the core of the Village and the intended Village Center for civic uses, for mixed uses, for retail. So having a long period of time but also a very inclusive process is very important for this important site.

I'm going to go quickly through some of these particularly in the beginning. So I'm going to go pretty quickly through the neighborhood introduction. Talk about very quickly the policy framework which was just referenced. Talk about the planned development process. Give you some images of the outreach that has happened. And then spend most of the time talking about the vision and the principles that were created by the community for this and how those principles have been correlated into this neighborhood plan amendment. Talk about the necessary steps to enable development, what we're talking about tonight. And, more importantly, what we're not talking about tonight and what will be subjects of later Plan Commission meetings. And then spend a fair amount of time on the neighborhood plan components themselves. And then let you know about the other analysis and design that has happened that is in support of the next steps that are coming.

This is the demographic center of Pleasant Prairie. As mentioned it is between 31 and 32. It is south of 50. The important thing is that while it's in the middle of the demographic neighborhood it's not connected to any large existing commercial corridors. And that has an impact on how that is designed later on.

We are now currently in the Village Green Center on the east side of 39th. There is one error I noticed as I was going through there. The largest single landowner within the entire area is Land

& Lakes Development. however, they are not the majority. The majority is comprised of various other types of land uses. Land & Lakes does own about 46 percent of the Village Green Center area. A gain, this is the existing neighborhood plan for the Village Green with the Village Green Center and the south center which shows at this point the existing neighborhood plan and the streets, the open spaces and the land uses that were proposed and are adopted at this time as of February 2006.

2006 the comprehensive plan said there was some basic minimums that need to be addressed within the Village Green Center, and that this is a community center of a gathering place, that a lot of streets and bikes need to come into this area because it's where Main Street comes in and connects with Springbrook and where 39th comes in. And so in and around where the Village Hall is and where we have an opportunity to have an open space where civic events can occur.

There were also Village Green design guidelines that were prepared in 1997 but were not adopted. And those major elements that were included in there is that this is an urban type of development, that it's more transit oriented, more traditional neighborhood. That there are key places for public places and that architectural and building design and site design are very important and need to be specifically addressed, particularly how transportation is related within the area. Just like the neighborhood plan, the design guidelines realize that this is a starting point and that it needs to be refined over time, and this is what we're doing tonight is refining both of those.

This is the whole process that we went through, lots of different steps. I'm not going to go into great detail, but the major issue is that this whole idea started in the early '90s, and that in 2004 the design really started with the previous landowner. 2007 then it was continued, and all the principles that were established with the previous process were continued with the new Land & Lakes. And it has been a process that has been very open and very transparent. It was led by the Technical Advisory Committee, members of which many are in the audience. But also lots of coordination with those that are in and around the area and those in the greater community. We're going to talk a little bit about each one of those.

So there was lots of one-on-one and small groups, interviews at the very beginning, talking with a lot of the landowners in the Village Green area, a lot of the neighbors, many if not all of the business owners that are in here as well as the nearby institutions. And I must say throughout the process there has been significant and thorough coordination with Village staff and County staff.

As Jean mentioned there was lots of public outreach that culminated in two Village Green Cafés. And the first café here images happened in this room where we really talked about what is the vision and what are the principles that need to guide any type of development. And so these principles as they came out of the community really guided all of the design, not only the land use design, but also the architectural, the open space and the transportation design.

Here are some images from the Village Green Café number two, which not only did we have a variety of different alternates of the way that open spaces and land uses and streets can be laid out, and those were all debated. And as always when you have different alternatives you never pick one, but it's always the greatest hits of all of them. It's like what do you like, what do you don't like about each one. And then at the bottom we had the same type of discussion about development character of open spaces, of residential, commercial. What are the types of images

that you like and that you don't like. And out of that conversation we were able to pull the major principles that came out and were incorporated into the design guidelines that were prepared in support of this.

There were also two market studies that were completed that helped support the land use selection and design, one in 2006 and one in 2011. Very different real estate markets between the two. So you can imagine that there are some differences in the recommendations between the two. However, there are some similarities that have really driven the design of the Village Green Center. They both agree that the commercial needs to be at a neighborhood scale. We're not recreating Highway 50. We're not recreating what we can expect on Green Bay Road or out by the Interstate. This is a smaller, more neighborhood-focused retail. Also that it needs to be where the traffic is, and the traffic is at the Springbrook and 39th intersection in that area. And so grouping it near there so it has access where there's a lot of cars and lots of people is important.

It also indicated that this is not going to be built next year, and it's not going to be built in five years. But this is a long-term process that will be very incremental. And what that means is if it's incremental that means we need a process that is very flexible. That we know we're going to be going through multiple business cycles before this is done. So we need to make sure that whatever process we create allows for that to happen. And then, finally, they also both agree that the character and the open spaces are not just nice to have but almost critical to have as a support to create an identity that will differentiate this area from other areas in the Village and hence make it a destination for commercial.

So out of all of the public input we pulled out the series of principles that were in five groups. I'm going to just talk about these very briefly because we've talked about these for several years, especially with the Technical Advisory Committee and the public. The first group is all about -- before we even get into what is the design happening within the Village Green Center, how does it relate to what's happening around it? So the Village Green Center really needs to sensibly transition because the Village Green Center is different than what's happening around it. It's providing an option to those that are in the Village, but that option means that it's different than what's happening around it. So we need to sensibly transition into it. And there needs to be good biking, walking and driving connections to those that are around it.

The environment is very important, and the connection and understanding that the natural amenities are not something that needs to be worked around but need to be created into amenities for the Village itself. Diversity was a big issue, and diversity meaning the diversity of land uses, the diversity of housing options, and the diversity of people. There's an expectation that this is the collection of the wide variety of people that live within the Village, and it is the place where people come and mix.

And then as indicated by the market studies is that we really need to come up with a flexible approach as we develop this to allow for different business cycles, to allow for different changes in the demand for housing, the demand for open spaces. And then finally this is a place that the Village will be proud of and will come and be a place for community gatherings and for celebrations. Out of this came the vision of the landowner itself, and that is Land & Lakes. Their vision is that the Pleasant Prairie Village Green Center is a thoughtfully designed and integrated amenity to the Pleasant Prairie community, essentially a summary of the principles that we received from the Village community.

So this is a lot of information that you are much more familiar with than even I am, but the steps that are necessary to allow for development to occur. And we're starting at the bottom where we are now, the comprehensive plan, neighborhood plan amendments allows for all of these other elements, the next one being zoning. And on top of that being conceptual plan and then all the way up to the CSM. I put this on here just to say that there are multiple steps, and we are only at the bottom. We're only considering the bottom level of the comprehensive plan neighborhood amendment. The group before, for example, looked at the first three levels. So the level of detail was much more worked out than what we have done for the Village Green Center. But what we're looking at is the bottom level.

I'm going to talk a little bit in more detail about the components of the neighborhood plan amendment. However, I do want to say that all of the neighborhood planning that we've been doing has been supported by design that will be incorporated into zoning and design standards and conceptual plans. And so that work is very far along, and so we are very comfortable with the neighborhood plan amendment and the design down to the block level of the open spaces and the street layout. So, let's take a look at that bottom level.

So there's a few things that are included as part of the neighborhood plan. One is the neighborhood plan map itself, and that shows, as you know, the general land use categories of single family, multifamily, commercial. We did create a new land use category and mixed use district that is not included in any of the other neighborhood plans that are in the comprehensive plan and then defined that as part of this neighborhood plan amendment. And then government institution and then open space both public and private.

As you know, the map shows the allocation of the various types of land uses. It shows where all of the major road connections are. And it shows where the major open spaces are. The balance there is a small amount of single family that is on the extreme eastern end of the Village Green Center. But the majority of it is in the multifamily category. And that is, as mentioned, to provide that diversity with the Village overall itself. And so the intent is that the Village Green Center will have a higher residential density that is seen in other places within the Village. But it also has the amount of neighborhood commercial. And then this purple area is this mixed use category. I'm going to go in a little bit more detail about what that means in a few slides.

The neighborhood plan describes each one of these land uses and the intent for each one of them and then talks about the general size of each of those. And for the residential and commercial it also talks about the range of residential units and then the range of commercial units. And I'm going to talk about why is there a range and why is there a minimum and why is there a maximum. It does also talk about the open spaces and all the various types of open spaces in a fair amount of detail.

Perhaps unique to this neighborhood plan is that there is an illustrative sketch to help describe in using a graphic the intents that were described in the text. And it provides a lot more of an indication of the type of character that is anticipated within the Village Green Center that can't be shown in just the general land use map. And the major things that can be drawn from this is that there is a core of commercial that is 39th, Springbrook, and that there is residential around it. But as the residential comes out and gets towards the neighborhood that the density steps down as you get to the edge of the neighborhood in all directions.

There is also an indication that there are major streets that are very important. And there is an urban approach to the way that those sites are designed in so that there is a limited front yard setback for those to create an urban neighborhood and mixed use area. And it also indicates that parking, the corollary, the other side to that, is that full parking is provided on every block, but that parking is not in the front of buildings but is in the side or to the back of buildings much as seen in traditional urban neighborhoods.

There are two illustrative sketches, and the second sketch is the exact same as the first with only one change, and that is we wanted to indicate flexibility of not only the types of housing units, and I'll get to that in a moment, but also transportation. And there's two intersections on the main street, one at Springbrook and then one at the eastern terminus of Main Street. Could you flip back? In the previous it was just shown as a typical intersection, and in the alternative sketch it shows it as potentially two roundabouts. Of course, decisions should be made later. But wanted to show that both are opportunities and both are possible.

Those are the components of the neighborhood plan. I'm going to go a little bit quicker and summarize. What are the other things that we've been doing to help support the recommendations that come with the neighborhood plan amendment itself. And so there are form based design guidelines that have been prepared that are not being reviewed and not being adopted tonight. Those will be adopted as part of the zoning step which is after the option tonight. But those pieces are the neighborhood master plan, the regulating plan, architectural and landscaping, urban design and transportation. And I'll go over those really quickly.

The neighborhood master plan talks about the general form of the entire Village Green Neighborhood. It breaks out the various housing types. And down in the right hand corner is the list of specific housing types that have been described within the neighborhood master plan, and they're designed from an urban design perspective, from a density, from a massing, from an architectural perspective. And so you could say there are these blocks that are available for the developers as they come into the future that they would be able to choose these types of housing units. And these housing units some of them are commercial, some of them are residential, and then some, for example the mixed use building and the work building, are actually a mixed use where it is commercial on the first floor and residential on the upper floors. The neighborhood master plan also talks about all the open spaces in a fair amount of detail and describe the amenities and the design within those.

There is something called a regulating plan that helps translate from the neighborhood master plan to what can actually be done on the site itself. And this looks at the Village Green Center at a block-by-block basis, actually sub block-by-sub block basis and assigns to each one of these areas what are the appropriate housing types that are available in each one of those sub block areas. This is the crux of where this flexibility comes in. I'm going to zoom in just to explain the whole map. I'm going to zoom into one just to show. So if you could click it once. So where that red box just showed up we're going to zoom in on the next slide in that area.

So this sub area, this block F, sub area 1 of block F, you'll see that there are four different indications of the types of housing units that could occur that would be allowable on that area. A detached townhouse, a row house, a multi unit home or a court side home. Each one of these because of the design, the pretty strict design parameters for each one of these four types, would

be appropriate on this area. And it would be up to the demand of the housing market, the preference of the developers and how it fits in with those that have already been developed around the area previously on what the selection of those would be. There is a difference between them. On the right hand side are more dense units; on the left hand side are less dense units. So as we calculate whether the numbers of people that could be working or living in this neighborhood, we have to imitate that sometimes there may be less dense housing units chosen, and in some cases there may be more dense. And you'll see what that means in a moment.

Also, there are some very limited areas where there is not only the density is variable but the use is variable, meaning that it could be a commercial use or it could be a mixed use or it could be a high density residential use. Because of the design standards the form is actually not all that different between those three. But it would allow -- if there is high demand for commercial it would allow for the Village Green Center to maximize the acceptance of that neighborhood commercial. However, if the neighborhood commercial market is weak, it would also allow for a smaller commercial area, but the continued development of the other areas which would be either more mixed use or strictly residential. So these are two examples of an example block.

And you'll see that there are some areas in the less commercial areas that they are guaranteed to be commercial because that's the only housing type that is allowed. But as you look further into the areas there are some building types that would allow either commercial or mixed use or strictly residential which allows for this variation of why is there a range in the amount of commercial that is available within the Village Green Center.

And then as Jean mentioned we went through a long process to talk about architectural landscaping and created very particular design guidelines for architecture, for building materials, for signage, for parking lot landscaping, etc. And these are photos from that draft, architectural and landscaping design guidelines. We looked at a lot of urban design and the way that every building type sits on its site and how it relates to accessory units, how it relates to access from streets from behind it or in front of it. We looked at every single type about what are the maximum stories, what has to happen on the first floor, what could happen on upper floors.

And then lots of detail into the transportation network. And typical cross-sections for every type of street that could occur within the Village Green Center. And then drawings of how each of the intersections could occur and how those should be designed. The intent for every intersection is that this is a -- Village Green Center has a balance among those that are driving, those that are walking and those that are biking. And so it is the street that allow for easy access for the vehicular but not at the expense of those that are biking. So there's lots of bike trails. There's always sidewalks. At intersections the crossings are designed to allow for the ease of the pedestrian particularly in the mixed use and commercial areas.

So with all that we have to have an understanding of what is the implication for development in the Village Green Center. And this is a chart that's way too detailed and I'm not going to go into. But I wanted you to know that we went at the sub block district and figured out what's the maximum that could happen on that sub block and what's the minimum for both residential and commercial.

If we go to the next slide this is the summary of it all. So we assumed scenario A. We assumed that the market and the demand in the Village at whatever year it is developing is low for both

residential and so we have a low density residential. And the commercial demand is low as well. And so we would shift away from mixed use and go more towards residential. So what that would result in is about 1,200 dwelling units and about 135,000 square feet.

B is the opposite. The market is going great, everyone wants to be in Village Green Center, everyone wants to live there, everyone wants to have their store there. Then we look at all the parameters and we move everything to what could be the most dense. And that results in about 1,500 dwelling units and 264,000 square feet of commercial. Scenario D and C are other permutations of that that fall into the middle. What's important is this approach, particularly the regulating plan approach, allows for flexibility in unit type and use but with only within a very narrow design parameter. So we have very strict design guidelines that allow for flexibility. And so the Village and the residents of the Village can feel comfortable in knowing the type of land use and development that could occur but still gives landowners a wide variety, not a wide variety, but some flexibility in the types of buildings that they would construct.

And then one of the other analysis that we have been working on is to understand the amount of open space that is necessary for storm water. We did a conceptual storm water master plan for the entire area. And we also did a water and sanitary sewer study for the area to determine distribution and capacity.

So back to this slide. So the only thing that is up for adoption is the bottom line, the comprehensive plan and the neighborhood plan amendments. However, I'm here to answer questions that you have about the other elements, the zoning and design standards and conceptual plans which are largely drafted but need to be converted by Village staff into the proper zoning documents to enable the development of this area. I'm here for questions.

Michael Serpe:

This is a public hearing, Jon. We'll open it up and if there's any questions we'll call you back up.

Jon Hoffman:

Thank you.

Michael Serpe:

Open it up, Jean? This is a matter for public hearing. Anybody wishing to speak? Anybody wishing to speak? Come forward and give your name and address.

Jeff Stanich:

Hi, I'm Jeff Stanich, 4233 98th Street. I live in Meadowdale Farms I believe. I don't know if we're Farms or whatever. We have two names over there. But my property would -- I'm looking at this slide. In the very top center there's a large green rectangle. I live on 98th Street. So I guess my only concern is when he pulled up that highlighted slide area where he showed the density, we have the multifamily different colors all over this slide. In the southeast corner the current residential area is being buffered by what it says is residential lots I believe, right, this

yellow area? And my only concern is on our little street up there, 98th Street, not a lot of home but at one time they were going to be very expensive homes. They've lost a lot of value, but it's a street that is buffered by what it looks like is a small little 60 foot green path.

I don't know how detailed this plan is being tonight, but if it's being passed as a multifamily area right behind our street I'm a little concerned about that. And I see the RH and the SH on that little screen he had about two slides ago, and I'm wondering we're buffering this area in the southeast with residential. And I know he said as you move west along Main Street it becomes less dense. My only concern is when you move north why is it multifamily or what does that mean? I guess multifamily could mean anything.

Michael Serpe:

We're going to write these things down, Jeff. Do you want to answer these at the end of the public hearing, Jean?

Jean Werbie-Harris:

Unless Jon wants to take them as we get the questions. It's up to him. We both can answer them.

Michael Serpe:

Are you writing these down, Jon?

[Inaudible]

Michael Serpe:

Why don't we get the comments. Okay, thank you.

Debbie Stanich:

Hi, Debbie Stanich, 2108 Knob Road, Burlington, Wisconsin. We are the property owner showing the retention pond farthest north. I think it shows on the comprehensive plan as actually open space public. I don't know, does the white line there just indicate separation and boundaries? Is there a road that's being proposed there. And I guess at what point, too, how is the public obtaining that property and is that -- I know we had talked about retention, but in the last plan that was put on the table I think we were considered in still some of the commercial area long there.

Michael Serpe:

Anybody else wishing to speak? Yes, sir?

Jacob Zimmerman:

Jacob Zimmerman. I live out in Paddock Lake, but my ma lives at 3841 104th Street.

Michael Serpe:

What is your address, sir?

Jacob Zimmerman:

6203 238th Avenue, Paddock Lake, Wisconsin. I eventually plan on moving back into Pleasant Prairie, so this idea of a Village Green does intrigue me. However, I struggle with the idea of so many what's designated as multifamily use homes. And I guess the concern to me is I hear multifamily use, and I envision transient residents. And if that's the case and we want to make an economic impact on the Village of Pleasant Prairie, is multifamily residence-type buildings what we're looking for? Or, are we looking for more permanent type housing.

The other thought kind of in line with the last comment was with regards to purchasing things that are for private use as in the case along 165 where you do have residential property on the north side of the road. Is it the intent for the Village to be purchasing these out or private companies purchasing these residences out? I presume right now it's designated as single family so where is the transition? How does that happen?

Michael Serpe:

We'll be able to answer that. Thank you. Anybody else wishing to speak?

Bob Fellows:

My name is Bob Fellows. I live at 4310 104th Street. We've been seeing these plans come and go, and in every one of them my house sits right on the corner of Springbrook, and every one of them it's a retention pond. Every plan that we've seen. My wife and I we plan on being here for a while. We see other people in the block that happen to leave. Unfortunate events happen, and their house basically was taken. It was purchased for pennies on the dollar, and I'm afraid that's going to happen here. The price of our house has gone down because of what you put in on 104th, that roundabout. The value of all of our land has went down, and it continues to go down more than most other places. And are you guys going to use this to purchase us very cheaply?

And then another one of my concerns is what happens if we don't want to move? If I have my house here and I don't want to be relocated and mine doesn't fit in this little multifamily home that it's designated for or it is going to be a retention pond, is that going to be taken into consideration and you're just going to wait until I pass away and do something with it? We've been dealing with Pleasant Prairie for years on issues, and it's always skirt around this or that. We need direct answers. We need, oh yeah, this is a long time, you really don't have to worry about it. Well, I have six kids, I do have to worry about it. They are going to be around here for a long time. Basically that's it.

Michael Serpe:

Anybody else wishing to speak?

Ken Jeep:

Hi, I'm Ken Jeep, 9923 38th Avenue. I'm in the Rolling Hills Subdivision. And I believe I'm either under water there or under the big brown building. I'm not sure where. So, again, I'll mirror a little bit about what the previous gentleman said. We've seen these plans come and go, that's true. But if something is passed it's the beginning of a process that once the process is started there's no turning back from it or it's going to be implemented in the times that we're living in our homes so we don't know what's going to happen to them.

And second of all I felt the plan in general, because with the high density development Pleasant Prairie is basically a bedroom community. A lot of us go to work elsewhere. I work in Illinois. Many of the people I know that live in Pleasant Prairie they do the same thing. This is going to be a traffic nightmare trying to get to work in the morning, trying to come home at night. The roads aren't going to be set up for the way traffic moves in the area now. So that's basically what I have to say. Thanks.

Michael Serpe:

Thank you. Anybody else wishing to speak?

John Mertens:

John Mertens, 4109 Springbrook Court, Pleasant Prairie. On one of the first slides I was one of the four neighbors listed for the Land & Lakes development here. And as you all know I don't exist on this map at all. It's all gone. That's fine if we're looking 40 years out. We're probably not. But one of my real concerns is this isn't why I and other people moved to the community. We were looking at the lot sizes, and it was a community of smaller homes not high residential. If I had wanted this I would have stayed in Chicago. We're trying to make the community something that the people living here now weren't looking for. We're looking for what a developer wants to do to maximize his investment. That's fine but not at the cost of what the community has built around.

Michael Serpe:

Okay, thank you. Anybody else wishing to speak? Anybody else wishing to speak?

Eleanor Yuenkel:

Hi, I'm Eleanor Yuenkel, 4128 104th Street. I just have a concern that if at any point I would need to sell my house in this economy because you have these plans up I've been told by a realtor that I have to disclose this. So that virtually makes my house unsellable. So how do you address us that have homes that are no longer sellable on the open market? That's my concern.

Michael Serpe:

Thank you. Anybody else wishing to speak? Yes, sir? Name and address one more time.

Bob Fellows:

Bob Fellows, 4310 104th Street, Pleasant Prairie. You guys have these forms where everybody got together and drew all these concepts of how this was going to go. I work, I couldn't make any one of them. Then I get this thing in the mail saying this is where we're possibly going. And I was kind of shocked because mine was a pond. So I called Pleasant Prairie, I called the Village, and they said, oh, we wished you were at the meeting. You need to call this Lake whatever it is. They really need to talk to you about your property. I called them up, and they said we're not even interested in your property. They said we own everything north of Old Springbrook Road, and he said that's where this development's going to go. It doesn't include you. And this would have been in '08 even though you guys had all these plans out. This Lake whoever owns that rest of the land they said they weren't even interested in anything by us.

Michael Serpe:

Okay, that will be explained. Anybody else wishing to speak? Anybody else?

Dan Johnson:

My name is Dan Johnson. My address is 6728 49th Avenue, Kenosha, but my business is located on the corner of Gordy's and Springbrook Road. I'm right behind Gordy's bar. And I hear a lot from the people of the Village as they come in as patrons of my business there. And there's a crying need for a grocery store. I mean you can call it a mixed use but, okay, let's make it mixed use. Let's put a gas station, let's put a grocery store. Let's maybe even put a bookstore in this place and a coffee shop. Let's kind of build something that people would come to, have coffee, whether bookstores are even going to be around with the internet. But I think something like this would be something that would raise the property values of people so that they don't have to run all the way to SuperValu or Pick 'n Save four miles or take their business over the border south to Illinois. So a Whole Foods or some kind of a somewhat upscale market. I can't convince a business to come in for that, but that's the kind of mixed use that I would truly support in the Village. Should think about that as one of the first developing ideas.

Michael Serpe:

Thanks, Doctor. Anybody else wishing to speak?

Jacob Zimmerman:

Jacob Zimmerman, 6203 238th Avenue, Paddock Lake, Wisconsin. Kind of going off that thought that was just made, I'm curious what kind of shops are looking to be going in here? Again, I understand that there's some desire to have economic growth inside of Pleasant Prairie, but with what there is competing in Kenosha just going up 31 off of 50, is this going to be something that these businesses are going to be able to compete with? Or, are they going to be highly specialized such that it wouldn't be your average, if you will, big box store items? Thank you.

Michael Serpe:

Anybody else wishing to speak? Anybody else? We'll close the public hearing. Jon, you want to address the concerns?

Jon Hoffman:

I can address some of these.

Jean Werbie-Harris:

We can go back and forth.

Jon Hoffman:

And some Village staff will need to. You just want to take it from the top?

Jean Werbie-Harris:

Yes.

Jon Hoffman:

So the first one was a resident that is outside of the Village Green Center but adjacent to it, and concerned about having multifamily south of his site. And there was a question about the width of the buffer and whether the width of the buffer is appropriate for separating the existing single family house from the multifamily. The way that it has been, and sorry I didn't clarify enough, but when I indicated that the residential density steps down as it moves west it also steps down as it moves to the north and as it moves to the east. It steps down a little bit as it moves to the south but not as much because of 165 as a divider between the two. That's an issue that we'll address later about 165 current residents.

There was a concern about having multifamily not next to you but in the area connected to single family. And the way that the design guidelines have been prepared and that the neighborhood plan has indicated is that there is an intention of dividing, of separating it and to provide a very separate character differentiation between the two between what happens in the multifamily and in the single family. And I will note that multifamily there is a very wide range of types of densities that are included in that multifamily category. And as we get to the areas that are off to the edges twin homes are the most predominant uses at the very edges that allow for very low density, essentially a duplex that is at the edge to allow for that transition, to allow single family houses that are to the outside. But there is a transition and it does happen. The regular neighborhood plan indicates that that transition happen slowly but it does happen, and it does happen incrementally. And that happens at the edges except for the eastern edge where there is single family within the Village Green Center itself. At the other edges there is a very low density but still multifamily.

There is existing or proposed Village Green open space to the northwest that does provide a buffer. And then we include an additional buffer inside the Village Green Center including the open space and then the retention.

Michael Serpe:

Would it be your idea or your recommendation that those would be owner occupied, is that correct, on the northern edge?

Jon Hoffman:

Right, that gets to another question about the concern that multifamily homes equal transient users and that people that live in multifamily homes are not permanent residents. The neighborhood plan and the guidelines do not talk about ownership at all in that it allows for a variety of different types of ownership including condos and others that are owner occupied and those that are rental. So I hear the concern about the need for permanent housing that is permitted and is encouraged within the Village Green Center, neighborhood plan and the design guidelines.

Jean Werbie-Harris:

And if I could further add, this area right here on this side of the neighborhood plan area is identified as a green space conservancy area. Also, the Meadowdale Estates area actually has an area for conservation for woodland areas. And then there's actually part of a neighborhood park in this area that also is conservation and wooded. And actually because we've been working on this for so long, when VK Development developed the Meadowdale Estates and the covenants and restrictions for this particular, for Meadowdale Estates, it was clearly spelled out that this area could be a multifamily area. Again, the only higher kind of density multifamily that we were looking in this area was possibly this area which at one point we were talking about that for senior housing or for assisted living because we had someone interested in that at one point. So that would be the type of development that would be right here.

But, again, as Jon had mentioned there's many opportunities that a lot of this housing could be owner occupied. It doesn't have to be all rental product. But as the population is aging in this community and every other community people want to stay in the community. We don't have very many options for some smaller units or rental units or condos that are smaller for seniors to occupy.

Michael Serpe:

Were the residents of Meadowdale Estates made aware of the proposed development?

Jean Werbie-Harris:

They should be every time they close on a property. Because every time you close on a property in there it's specifically set forth in there. It was written by the previous developer and I know it's in there because I read it in there. So, again, we're not trying to have high density next to Meadowdale Estates. That's not our intent. But, again, to provide a transition, and we have quite a bit of green space, conservancy and transition area from that preservation area between the properties as well.

Michael Serpe:

Wayne, you had a question?

Wayne Koessl:

Through the Chair to Jean, on the north end there what is the width of that buffer zone roughly?

Jon Hoffman:

Within the Village Green Center it's approximately 60 to 80 feet.

Jean Werbie-Harris:

And then it's also at least 75 feet because it's the width of the We Energies easement on the north side because that was reduced from 200 --

Wayne Koessl:

So about 150 feet roughly?

Jean Werbie-Harris:

Right.

Wayne Koessl:

Thank you.

Michael Serpe:

Jon, are there any more concerns that you have to address from the residents?

Jon Hoffman:

Yes. There were a series of questions that I'll take the liberty in grouping them in that the question was about how are certain existing parcels going to be converted into what is shown on the neighborhood plan. And there's two categories. One is where it shows that it's some kind of development, and one where it shows it's some kind of open space potentially storm water. Do you want me to answer this?

Jean Werbie-Harris:

You can start and then I will respond as well.

Jon Hoffman:

Okay. So where it is shown as a future development, and this is primarily the existing residential that is on the north side of 165. And when we talked this is a very long term neighborhood plan vision. I will underscore twice particularly very long for those existing areas. Because the

neighborhood plan does not require any changes to occur on the site itself. It allows for existing uses to occur for as long as they are occupied. And it is up to the owner's choice to determine when that change does occur.

When that change does occur, next year, 10 years, 25 years from now, then the neighborhood plan gives some vision and some direction about the type of redevelopment that could occur. In each of these cases it is the density that is shown on the Village Green Center master plan map is higher than what is indicated what is currently. And so more than likely the land uses will increase in value as the higher density is allowed within the neighborhood plan. But is the option of the current existing resident to make that choice at the time that that resident wants to make that choice.

For the areas that are shown in open space, particularly those that are in storm water, many of these storm water locations are necessary when development occurs. We're showing what is the maximum amount of storm water that will ever be needed if this develops to essentially its highest intensity. And so a lot of these storm water areas will not be necessary until at the time when development actually occurs.

The one storm water that was asked about is along 39th on the north central area of the master plan area. And a portion of that is required for road improvements that will be occurring. And it would be best if Village staff answered about how those properties are acquired as part of the road reconstruction.

Don Hackbarth:

John, can I go back to the 165 properties on the north side?

Jon Hoffman:

Yes.

Don Hackbarth:

Let's say three families decide that they're going to sell their property. Are you going to tear the houses down right away or what?

Jon Hoffman:

That is up to whoever they sell it to.

Don Hackbarth:

What I'm getting at here is let's say that three or four people sell their homes. The developer decides to tear their houses down. Is he going to begin to start building that high density units on the south side? Because I can see that definitely affecting the property values of the people that continue to exist.

Jon Hoffman:

While it is theoretically possible I will say that is unlikely, and here's the reason why. It's that this plan does not indicate any access from 165. And so access to these development parcels occurs within the neighborhood itself. To allow for that access to occur more than three or four parcels are going to be necessary in that it's going to be a very large area that's going to have to be consolidated by some future developer most likely to allow for not just one building or one high density next to lower densities. But it's more than likely going to be a larger sub area to allow that to occur.

Don Hackbarth:

But we say more than likely. I'd like to see it a little more definite to say that we're going to protect the neighbors on 165 as neighbors sell their homes off.

Jean Werbie-Harris:

Don, you know it's the Village's policy not to allow development to occur that would substantially negatively impact a property right next door. And the State has already told us, and we know this for a fact that there is restricted access along this except for the existing single family homes that live there now, the property owners that live there now. The State's not going to allow any additional new access along this stretch for a higher use, a more intense use, than that existing single family. They've already told us that as part of the reconstruction of 104th.

Don Hackbarth:

But, Jean, what I'm getting at here is if this gets developed and let's say half a dozen people sell their homes, they can still get access to the back if they develop the roadway that way from behind. They don't need direct access from 165.

Jean Werbie-Harris:

Right. But the way these lots are set up off of 165 it would be highly unlikely unless all of these properties got together at the same time. You know what I'm saying? They each have a certain amount of width and size on the abutting State highway, and they don't have that access going up to a northern road. And we have this in other areas of the Village as well. If the whole area has a tendency to go and move forward and want to redevelop then it does happen.

Don Hackbarth:

Again, my concern, Jean, is if there are three people left on the north side of 165 and the developer decides to tear the houses that he bought down and then build low density housing along 165, that will definitely impact the value of the remaining homes on 165.

[Inaudible]

Michael Serpe:

Please, the public hearing is closed. Please.

Jean Werbie-Harris:

Again, the Plan Commission and the Board will make that decision as a plan is advanced. If the Plan Commission and the Board feel that it's not appropriate at that time because not enough of the land is owned by one owner with respect to transitioning those land uses, then those land uses can't be transitioned. Can homes be torn down if homes are purchased? Yes, they can. But if the Plan Commission and the Board feels that it doesn't provide a good transition and there's some competing land use interest in that area, then that's what the Plan Commission and the Board -- I mean just because it's on a plan doesn't mean that it has to happen that way or at that time period. This is a guide.

And, to be honest, I think that it's the northern area of the development which I believe is probably going to happen long before anything happens down in this area. The reality is because of the housing market the way it is today, and that's what's causing housing prices to go down, not necessarily the 165 roundabouts and not necessarily what might happen with the widening of 39th Avenue. The housing market is down in Pleasant Prairie just like everywhere else in Southeast Wisconsin, and all of our housing values are down right now.

Michael Serpe:

Anything else, Jon?

Jon Hoffman:

Yes. There's a question about redevelopment for things that are shown as storm water. You want to talk about improvements to 39th and the timing?

Jean Werbie-Harris:

Right now this existing storm water basin is existing, and I think that the plan does show something small right there. Again, nothing new will happen with respect to storm water basins until such time as this area transitions. And, again, it's when and if the property owners want to sell their land for a transition or a new use. The Village is not going to be buying all of these homes throughout this area or any other area of this Village Green for the Village to develop land. That's not the intent. The market's going to have to dictate when and if land develops and when and if land sells in this particular area.

Michael Serpe:

The public hearing is closed. I'm sorry. Jon, anything else?

Mike Spence:

I was going to address the 39th Avenue corridor. The Village is initiating the process to reconstruct 39th Avenue from the roundabout at 165 north to past 97th Street. The storm water

areas shown on the drawing are consistent with the topography of the area. So when we design the road we've got to provide storm water management. You want to point just to the southwest of Village Hall. That area there that's actually a lower area and there's drainage there now. So that's the most likely area for drainage for 39th. Now, as you go to the north there's also another low point where you were pointing to before there, and that's why there's a conceptual pond shown there. So those locations are driven by really the topography of the area and that's why they're located there for storm water management.

Michael Serpe:

Do you have anything else?

Jon Hoffman:

Yes, there were two questions about the types of businesses that will be located in this area. While the neighborhood plan is not specific about the exact types of businesses, whether it's a gas station or a grocery store, it is very specific about the form of what that commercial and that retail space would be. And by those design guidelines it essentially leaves out a type of retail that is most likely going to be located on Highway 50 anyway. And that's the big boxes and the things that require large parking lots in front of strip malls and those types of things.

What does fit into the types of commercial design standards that we've indicated for each of the commercial and mixed use areas are the indications of the coffee shop, the bookstore, small grocery stores could be accommodated in the types of commercial buildings that are shown within the Village Green Center. And this fits directly into the indication that we received from the community that this should be neighborhood oriented as opposed to a regionally oriented retail area.

And then there was a series of questions that is more about character and the Village itself and how this mixed use area and higher density area fits into the character of the Village itself. I would more towards the -- I know the input that was received during the community meetings that indicated that there was a desire for the Village to be a village for everyone that lived here during all of its life stages. And so when someone moved out from their parents house there was essentially very few places in the Village where they could move to because having a large house was not within their financial means. And so looking for some kind of multifamily to allow for them to stay within the community and essentially grow within the community, eventually go into a larger single family house but then retire again into something that was either senior housing, assisted living or something that provides more multifamily. And so the intent is to provide a lot of diversity of housing stock within the Village itself. At the moment there isn't a whole lot of diversity. But the Village Green Center helps provide that change of housing types within the Village itself.

Michael Serpe:

Thank you, Jon. I'd just like to say one thing. This is just a first step in amending the plan. As this comes forward and development nears there's going to be a multitude of public hearings that everybody that's affected will be noticed and will have a say so, and your concerns will be taken into consideration and most likely favorably acted upon. That's the way it's been in the past, and

I don't anticipate that being any different in the future. We have a very good Village. I think we're all proud of our Village. We like the way its developed, and we're certainly not going to do anything to detract from that, not tonight and not in the future.

Don Hackbarth:

I've got a comment. Jean, we toured, what was it, Glenview?

Jean Werbie-Harris:

We did tour the Glens project.

Don Hackbarth:

We got some ideas from that to do something here, right?

Jean Werbie-Harris:

Right, to create a commercial center.

Don Hackbarth:

Do you know how they're doing with their multi use?

Jean Werbie-Harris:

Well, with respect to commercial for the Glens I think that they're actually having some problems right now. But they're actually more of a regional type of commercial center. One of the questions that was asked was is this intended to be more of a regional or community wide commercial center like Southport Shopping Center or Highway 50? No, it's not intended to be anything like that. Its not even intended to be any type of large big box users here or anything like that. I mean it's intended to be more neighborhood commercial focused and to service this area of Pleasant Prairie. But it's not intended to be a large big box.

Don Hackbarth:

How is the housing market down there in the Glens?

Jean Werbie-Harris:

I don't know that. I don't know.

John Braig:

Just a comment or a clarification. During the public hearing there was an allegation made that the Village somehow was responsible for the roundabouts. And I think it should be clarified that the Village had nothing to do with it. It was a decision made by the State. Am I correct?

Jean Werbie-Harris:

That's correct. The Village requested signals to be placed at those two intersections, and the State felt that the roundabouts were a safer, better solution, and it was their idea. And they promoted it and we have them now.

Don Hackbarth:

They don't live on a roundabout.

Michael Serpe:

What's your pleasure, gentlemen? I need somebody to say something.

John Braig:

Move approval of Plan Commission Resolution 12-13.

Jim Bandura:

Second.

Michael Serpe:

MOTION MADE BY JOHN BRAIG AND SECONDED BY JIM BANDURA FOR APPROVAL OF RESOLUTION 12-13. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

Jean Werbie-Harris:

Mr. Serpe, one of the things that we hope to do is we still hope to have a third opportunity or a third café where we can sit down as we get closer into the regulating plan elements, and sit down specifically with all the residents. Some of them I don't know if they got all their questions answered or not. I know Mr. Jeep lives over on the edge over here. He wasn't even impacted, he just wasn't shown on the plan. So there might be some residents that aren't still clear exactly what is going to be impacting them directly and how they're going to be impacted. And Eleanor Yuenkel can certainly get her questions answered through our Village Assessor. He's not here this evening, but we certainly will get some answers for her with respect to that as well.

Michael Serpe:

Items C, D and E I believe we're going to take together, is that right, Jean?

Jean Werbie-Harris:

Yes.

John Braig:

Mr. Chairman, I have a financial interest in the owner of this parcel so I will refrain from discussion or voting.

Michael Serpe:

Okay. John Braig will not be participating in these three items.

- C. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #12-14 FOR AMENDMENTS TO THE COMPREHENSIVE PLAN for the request of Mark Bourque, of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28th Avenue to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. Specifically, Map 9.9 is proposed to be amended to remove the Park, Recreational and Other Opens Space Lands without wetlands into the Low-Medium Density Residential land use designation from the property located at 11934 28th Avenue.**
- D. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT for the request of Mark Bourque, of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28th Avenue to rezone the portions of the property that are zoned PR-1, Park-Recreational District and R-3, Urban Single Family Residential District to the R-4, Urban Single Family Residential District. The portion of the property zoned C-1, Lowland Resource Conservancy District will remain unchanged.**
- E. Consider the request of Mark Bourque of Prudential Premiere Properties, agent for Banks of Wisconsin, owner of the property located at 11934 28th Avenue for approval of a Certified Survey Map to subdivide the property into two parcels and to withdraw the Final Plat for The Orchard Subdivision.**

Jean Werbie-Harris:

Members of the Plan Commission and the audience, these three items are related and will be discussed at the same time, however separate action is required by the Plan Commission.

The petitioner is requesting to subdivide the 15.3 acre property located at 11934 28th Avenue into two lots. As a result of the proposed land division, the petitioner is requesting to withdraw the

request for approval of the final plat for The Orchard Subdivision. In addition, the petitioner is requesting to rezone the property and amend the Village's Comprehensive Land Use Plan.

Some background information related to The Orchard Subdivision. The previous property owners were proposing to develop this property into a single family subdivision with 19 single family lots to be known as The Orchard. On November 19, 2007, the Village Board conditionally approved the preliminary plat for this subdivision pursuant to Resolution #07-77. The preliminary plat approval is valid for two years; however prior to the expiration of the plat a final plat needed to be approved unless an extension was granted. On November 10, 2008, the Plan Commission held a public hearing related to the final plat, development agreement and related documents and they had approved a final plat extension basically if all the conditions were satisfied by April 10, 2009.

As you can see in the staff comments, what happens is they've requested and we extended the preliminary plat approval a couple of different times. And the staff comments list specifically the dates and times that we did that. Another two year extension was requested, and it was extended again on April 2, 2012 to April 10, 2014. Well, what happened between then and now basically is the Banks of Kenosha have taken over the property, so they're looking to market this property in a different way and in a different means. And what they are requesting now is basically to subdivide this property into two lots and to vacate the original plat. Even though so much work was done it, it was just not right for this particular area.

In the certified survey map Lot 1 is proposed to be 5.3 acres with 250 feet of frontage on 28th Avenue. There is an existing home and a detached building on this property. The property has an accepted offer to purchase from William and Kathy Wamboldt who intend to raze the house, rebuild a new single family home and keep the existing detached garage on the site. The detached garage is allowed to remain on the property subject to a variance that was granted by the Zoning Board of Appeals on September 25, 2012. The variance grant document is 12-02.

Lot 2 is proposed to be 10.1 acres with 153.88 feet of frontage on 28th Avenue. There are wetlands on a portion of this property that were delineated in 2006. If any future development is proposed within this area a new wetland delineation will need to be required. And no new structures are allowed within 25 feet of the wetlands.

Both lots are serviced by municipal sanitary sewer. New homes constructed on these lots will be required to be connected with basement gravity service. The location of a new home on Lot 2 will be limited to its location unless a variance can be obtained by the Village Board to allow for basically a grinder pump system or hung plumbing, again, because it's going to be pretty far back from 28th Avenue.

There is no municipal water within 28th Avenue; therefore both lots will be serviced by on-site wells. The attached waiver of notice special assessment and hearing shall be executed and recorded at the Register of Deeds Office at the same time the CSM is recorded. At such time that municipal water is available on 28th Avenue the homes will be required to connect to the municipal water system. Additional right-of-way is being dedicated for the future public improvements within 28th Avenue. A total of 33 feet from the roadway center line is being dedicated to the Village.

The comprehensive plan and zoning map amendments, as you know that the current documents are compliant with the original preliminary plat that was approved back in 2008. The property was also rezoned at that time to R-3, Urban Single Family Residential District, again, to reflect the 20,000 square foot lot minimums. The wetlands were put into the C-1, Lowland Resource Conservancy District. And the nonwetland areas within the outlots were put into the PR-1, Park and Recreational District.

As a result of withdrawing the subdivision plat and proposing to subdivide the property into the two lots, the property is proposed to be rezoned into just the single family districts the same of which is on the adjacent properties. The portions of the property that are zoned PR-1, Park and Recreational District, and R-3, Urban Single Family Residential District, are proposed to be rezoned into that R-4, Urban Single Family Residential District. A portion of the property that's C-1, Conservancy, will remain unchanged. And, again, the R-4 will match the adjacent residential properties as shown on the overhead.

In addition to the zoning map amendment, the Village 2035 Comprehensive Plan is proposed to be amended so that the zoning map and the land use map plan are consistent. Specifically, Map 9.9 is proposed to be amended to remove the park, recreational and other open space lands without wetlands into the low-medium density residential land use category for the property located at 11934 28th Avenue. Appendix 10-3 of the Comprehensive Plan is proposed to be updated to include the aforementioned amendments.

This is a matter of public hearing, again, because we are considering Comprehensive Plan amendments and zoning text amendments as well as the CSM.

Michael Serpe:

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

Steve Bostrom:

Hi, good evening. Steve Bostrom, 1720 75th Street, Kenosha, Wisconsin appearing on behalf of Banks of Wisconsin. I'm also agent along with Mark Bourque on this transaction. Here to answer any questions should you have them.

Michael Serpe:

Thanks, Steve. Anybody else wishing to speak? Anybody else? Hearing none, we'll close the public hearing. Now you want to talk?

John Braig:

Please. As I recall wasn't there quite a bit of opposition to The Orchard Subdivision plan?

Michael Serpe:

There was.

John Braig:

I don't sense any opposition to this idea.

Michael Serpe:

There isn't.

Don Hackbarth:

With that in mind I move approval of Resolution 12-14 for the amendment to the Comprehensive Plan.

Wayne Koessl:

Second.

Michael Serpe:

Motion made and seconded for approval of Resolution 12-14. All those in favor say aye.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. John you abstained?

John Braig:

I abstained. Thank you for your comment.

Wayne Koessl:

I'll move approval of the zoning map amendment.

Don Hackbarth:

Second.

Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND SECONDED BY DON HACKBARTH FOR APPROVAL OF THE ZONING MAP AMENDMENT. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? John Braig abstained.

Larry Zarletti:

Move approval of the certified survey map, Mr. Chairman.

Judy Juliana:

Second.

Michael Serpe:

MOTION MADE BY LARRY ZARLETTI AND SECOND BY JUDY JULIANA FOR APPROVAL OF THE CERTIFIED SURVEY MAP. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. John Braig abstained. Thank you Mr. and Mrs. Wamboldt. Welcome back to the Village. They were long time residents before and they moved away and now they're coming back like a dirty penny. Thanks again.

F. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL PLANS for the request of William Tucknott agent for Rust-Oleum Corporation to install a new aerosol spray-paint filling equipment that includes the installation of a 192 square foot pre-fabricated structure that will be located on a concrete pad outside rear of the facility located at 8105 95th Street that will house the required equipment that adds propellant to the cans.

Jean Werbie-Harris:

This is a matter for public hearing. And under the public hearing comments and for the hearing record the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request, and they are presented for you this evening.

Findings of Fact

1. The petitioner is requesting a conditional use permit including site and operational plans to install a new aerosol spray-paint filling equipment that includes the installation of a 192 square foot pre-fabricated structure that will be located on a concrete pad outside the rear of the facility located at 8105 95th Street that will house the required equipment that adds propellant to the cans. And this is provided as Exhibits 1 and 2.
2. The property is identified as CSM #1203 located in a part of U.S. Public Land Survey Section 21, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-212-0355.
3. Pursuant to the application as provided as Exhibit 1:
 - a. Rust-Oleum Corporation operates a paint manufacturing facility that produces a variety of both water-based and solvent-based coatings. The plant is made up of a few main areas. The bulk raw material storage tank farm is where liquid solvents and resins are stored. Powder raw materials such as color pigments are stored in the receiving warehouse portion of the plant. These raw materials are then mixed together in tanks of varying sizes to make the finished paint product. The finished product is then filled and packaged on the plant's filling lines. The products can be filled into half pint cans, quart cans, one gallon cans, five gallon pails or aerosol spray cans.
 - b. Recently the demand for aerosol spray-paint production has increased. This has led to the need for additional aerosol filling capacity. There is existing filling equipment currently not being used at another facility. This equipment is going to be shipped and installed at this plant in Pleasant Prairie. The equipment will be installed in the southwest corner of the facility. The majority of the filling and packaging equipment will be located inside the facility. There is a propellant charging room that will be located outside on a new concrete pad. This room is a prefabricated structure that is going to be shipped in one piece to the Pleasant Prairie facility. It contains the equipment responsible for adding propellant to aerosol cans.
 - c. The existing building is 253,000 square feet, and the new charging room is 192 square feet
 - d. Standard hours of operation will be 24 hours a day broken into three shifts, five days a week.
 - e. Start-up of the filling line will be as soon as possible. There are currently 230 full-time employees for the entire facility. To staff the new aerosol can filling line requires an additional 16 full-time employees. These employees would be split

- up among three shifts, six on first shift, five on second shift and five on the third shift.
- f. The most employees in the entire plant at any given time would include all of the first shift R&D employees and all of the production staff at shift change between first and second shift which leads to 155 employees.
 - g. No additional parking spaces will be required. As there will be no significant change in their operations, the vehicular traffic of any type to and from the facility will be unchanged.
 - h. This new equipment will fill aerosol spray paint cans identical to the cans currently filled. The new equipment to be installed includes a depalletizer, filler, crimper, gasser, checkweigher, waterbath, tipper, labeler, capper, sticker applicator, case packer and palletizer. There will be no new waste streams from this new packaging equipment.
 - i. Rust-Oleum is confident that there will be no adverse impacts to neighboring property owners or public facilities. They have sound safety and environmental procedures in place to mitigate the impact of an unforeseen issue. Rust-Oleum is in full compliance with all federal, State, and local operating permits and approvals. The facility currently has a registration air permit with the DNR.
 - j. This equipment will not be operated as a public nuisance and will not violate Section 420-38 of the Village Zoning Ordinance related to performance standards.
 - k. The new gashouse structure will be painted to more closely match the color of the existing facility. Security for the structure will be incorporated into the existing automated fire alarm system that protects the existing building, and the maintenance of the new equipment will also be fully incorporated into the systems they use to maintain the existing building and the landscaping.
4. The current zoning of the property is M-2, General Manufacturing District, and such High-Hazard Group H Uses pursuant to Chapter 3 of the 2006 International Commercial Code is allowed within the District and on this property with approval of a conditional use permit.
 5. Previous conditional use permits approved for this property include and, again, you can see that this facility has been in the Village I believe the first use in the Lakeview Corporate Park in 1988 if not the second use.
 - a. Kenosha County Resolution #94 was approved on July 27, 1988 for a conditional use permit to operate a manufacturing, research and development facility for Rust-Oleum Corporation.
 - b. Conditional use grant #92-009 was approved by the Village on November 11, 1992 for the storage of product on the site.

- c. Conditional use grant document #95-017 was approved by the Village on November 6, 1995 to construct a 480 sq ft building to be used in the recovery of paint and propellant from returned/rejected aerosol containers.
 - d. Conditional use grant #96-01 was approved by the Village on April 1, 1996 to construct housing for equipment used to inject propellant into aerosol cans.
 - e. Conditional use grant document #03-03 was approved by the Village on February 10, 2003 for the installation of thermal oxidizer and relocation of maintenance office interior.
 - f. Conditional use grant #07-01 was approved by the Village on April 9, 2007 to construct a 3,320 square foot addition for testing new products with proper temperature and humidity controls. In addition, the emergency access roadway was re-routed to accommodate the addition.
6. Notices were sent to adjacent property owners via regular mail on September 12, 2012 and notices were published in the *Kenosha News* on September 24 and October 1, 2012.
 7. The petitioner was e-mailed a copy of this memo on October 5, 2012.
 8. According to the ordinance, the Plan Commission shall not approve a conditional use permit unless they find after viewing the findings of fact, the application, related materials and the information presented this evening that the project as planned will not violate any intent or purpose of the ordinance and meets the minimum standards for the granting of the conditional use permit, and the approval of any site and operational plan shall also be in compliance with all local, federal, State regulations and requirement relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, noise, storm water management, streets and highways and fire protection.

With that I'd like to continue the public hearing. The petitioner has been patiently waiting all night, and we do welcome any additions that our existing manufacturers make in our corporate park.

Michael Serpe:

The memo is larger than the expansion.

Jean Werbie-Harris:

But the expansion is very important. If you would like to make any brief comments?

Michael Serpe:

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

Bill Tucknott:

One just very minor deviation from the submitted plans.

Michael Serpe:

Name and address please.

Bill Tucknott:

Bill Tucknott, 2541 Antoinette Trail, Racine. And just one minor deviation proposing compared to the submitted plans. In the plans the structure was going to be painting to match the existing building. But really this existing structure it's very small, 15 foot by 12 foot light brown aluminum structure. It's going to be set very far back off the road. And I do have pictures of the view from the road. And with the trees, particularly pine trees that are there on the property, this building in the proposed location will not even be seen from the road. So I guess we're requesting that the structure just be left as is and not painted would be the deviation requested.

Jean Werbie-Harris:

Do you want to present those to the Plan Commission?

John Braig:

What does it look like?

Michael Serpe:

Is there room for an employee in that building? Are these photos [inaudible].

Bill Tucknott:

[Inaudible] prefab structure that we'll relocate [inaudible].

Michael Serpe:

Do you have anything else? Okay, anybody else wishing to speak? Hearing none, we'll close the public hearing. What's your pleasure?

John Braig:

I'm a little uneasy or uncomfortable with approving a metal building, prefab. Granted this is a good installation. But does that set a precedent that somebody can come in with a tin prefab and say, hey, you did it for them guys, let me have one? Should we have some restrictions on that building? Should we ask for some ornamental cladding? We do it on every structure that goes up in the Village. Look at all the cell phone towers. They don't get by with a tin shed.

Jean Werbie-Harris:

And I agree. And actually one of the next items on the agenda is for it to be very clear in the zoning ordinance that there is discretion of the Plan Commission to approve a metal sided building at staff's recommendation under certain circumstances. And in this particular circumstance they are able to obtain this unique building from another one of your sites?

Bill Tucknott:

Yes.

Jean Werbie-Harris:

Another one of their sites. If you could see in the pictures you can't really see it from the road and the public can't view it. Actually you could almost view this 192 square foot building as a piece of equipment because it's smaller than some of the large silos and generator pieces of equipment that are actually out in the corporate park right now. So for that reason we looked at it very closely, and it's not in the public's view. The purpose of what it's being used for we felt that it was sufficient. And as long as they received approval from the Lakeview Corporate Park with respect to making a variance or modification to allow this small building which serves actually as a piece of equipment for them, then the Village staff would support it.

Don Hackbarth:

I move approval of conditional use including the site and operational plan without having to paint the structure.

Wayne Koessl:

I'll second it, Mr. Chairman. Can I make a comment?

Michael Serpe:

Sure.

Wayne Koessl:

That's why we do conditional use permits. We have the flexibility of looking at each one and evaluating the merit of it. Thank you.

Michael Serpe:

MOTION MADE BY DON HACKBARTH AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF THE CONDITIONAL USE PERMIT INCLUDING THE SITE AND OPERATIONAL PLAN. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you for your patience.

G. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL PLANS for the request of Jeffrey Risby, agent, for Verizon Wireless to install six (6) antennas on the existing tower in Prairie Springs Park at a height of 140 feet; to install related telecommunication equipment within the existing multi-tenant equipment shelter at the base of the tower and to install an emergency stand-by generator north of the existing building within a masonry wall to match the existing building.

Jean Werbie-Harris:

This is also a matter for public hearing, and so I will be reading the public hearing comments as part of the public hearing record. And we have gathered findings, exhibits and conclusions regarding the petitioner's request, and they are being presented for you below. And we are actually making a slight modification on this one based on our staff meeting and our inspections out at the site this week.

Findings of Fact

1. Verizon Wireless is requesting approval of a conditional use permit including site and operational plans to install six antennas on the existing tower in Prairie Springs Park at a height of 140 feet; to install related telecommunication equipment within the existing multi-tenant equipment shelter at the base of the tower; and to install an emergency stand-by generator north of the existing building within a masonry wall to match the existing building within Prairie Springs Park. This is located just east of the south ball fields on Village-owned property on a portion of Tax Parcel Number 92-4-122-204-0201. This building/tower will have an address of 9951 Terwall Terrace. See Exhibit 1 is a copy of additional application materials.
2. The current zoning of the property where the existing tower and equipment shelter is located and associated improvements is located is PR-3, Regional Park-Recreational District, and pursuant to Section 420-127.2 D (2) of the ordinance, a commercial communication structure and associated equipment requires a conditional use permit.
3. The facility and the proposed addition to the equipment shelter are not located within the 100-year floodplain. According to Village's floodplain mapping sources, the 100-year floodplain elevation associated with this area of Prairie Springs Park is 676 feet above sea level. According to the plans, the floor level of the equipment building is 680.5 feet above sea level. Therefore, the facility will be located outside the limits of the 100-year floodplain.

4. The wetlands in the vicinity were field delineated by Dave Meyer of Wetland and Waterway Consulting on June 10, 2010 and approved by the Wisconsin DNR on September 3, 2010.
5. On October 10, 2011 the Village Plan Commission conditionally approved a conditional use permit #11-19, Exhibit 2, and site and operational plans for American Tower to construct a 150 foot tall multi-carrier monopole commercial communication tower with six antennas attached to the tower for AT&T, and an 800 square foot multi-carrier equipment shelter and miscellaneous site improvements. In January 2012 permits were issued for this work to commence. A lease agreement was approved by the Village Board on October 17, 2011 between the Village and American Towers LLC related to the leasing of the land for this tower and associated site improvements.
6. All building code related items for the construction of the tower, including the six antennas and the multi-carrier building shell have been completed by American Tower. However, the Village staff needs to obtain some clarification that the shelter and related AT&T appurtenances have been built dimensionally pursuant to the plans; the pedestrian path needs to be replaced due to the insufficient gravel stone base and inadequate drainage between the path and the front or west side; and the groundcover grass area needs to be reseeded or mowed in various areas. These, again, are all responsibilities of American Tower.

Revised grading and drainage plans were submitted by American Tower and approved by the Village Engineering Department to correct the path and the drainage issues. The other work will need to be addressed. The construction fencing that was set up by American Tower will need to remain on the site while the work is being completed. In addition, all outstanding site and operational plan requirements will need to be addressed. The Village will provide a detailed list of outstanding items upon completion of the zoning inspection of the project.

7. Verizon Wireless and the Village will need to enter into a land/building lease agreement for the proposed facility. The Agreement is currently being reviewed by both entities. After the Agreement is in an acceptable form for both parties, it will be placed on an upcoming Village Board agenda for review and approval. Prior to the issuance of permits the lease agreement shall be approved by the Village Board and executed by all applicable parties.
8. When the multi-carrier building was designed, the location for emergency back-up generators to be located within the tenant spaces was not considered since AT&T does not require or install back-up generators. Verizon Wireless requires that an emergency stand-by natural gas generator be installed to power their equipment in the event of a power failure. The land and building lease area for the tenant does not allow for generators to be located within the building, therefore Verizon wireless was proposing to locate the generator north of the existing building within a masonry wall enclosure to match the building. So we'd have a wall and beyond the wall.
9. Upon staff review of the plans and an on-site visit with the applicant on October 1, 2012, the Village staff is now recommending that the generator be located to the east of the building within the fenced-in area. The existing fence area is proposed to be slightly

enlarged and squared off to allow for proper clearance around the generator. Due to space constraints, one of the air conditioning unit for Verizon will be located on the building's north elevation, and one the other air conditioning unit will be located on the building's east elevation. Ten feet of the existing split rail fence on the north side of the building will need to be removed to allow for the fence expansion and the north side air conditioning unit. The existing plantings below the proposed north side air conditioning unit will be relocated.

The relocation of the generator on the east side of the building instead of on the north side will not require a masonry wall to be constructed on the north side of the building. In addition, due to the location of the tower and proximity to the building, the cables are proposed to be located within an ice bridge extending from the building to the tower. Revised plans shall be submitted for final staff review and approval. And this sketch that Peggy did kind of shows you where the fence area beyond the landscaping, in between the landscaping, is going to be extended in order to accommodate their new generator.

10. The Communication Act of 1934 is the federal regulation, which governs the telecommunications industry; Section 322 of said Act, as amended by the Telecommunications Act of 1996, provides guidelines to state and local governments regarding the siting of antenna facilities. Basically, the provision states that insofar as the existing antennas pose no health or safety risks, the local zoning authorities such as the Plan Commission may not directly or indirectly consider any health or safety issues during the zoning process when considering a new telecommunications facility.
11. The petitioner and all of the abutting and adjacent property owners within 300 feet of the site were notified via U.S. Mail on September 12, 2012 of this public hearing. Notices were published in the *Kenosha News* on September 29 and October 1, 2012.
12. The Village emailed the petitioner a copy of this staff report on October 5, 2012.
13. According to the Zoning Ordinance, the Plan Commission shall not approve a conditional use permit unless they find after viewing the findings of fact, the application, the related materials as proposed as well as the information presented this evening that the plans will not violate the intent and purpose of the Village ordinance and will not violate any federal, State or County regulations, and it meets all the minimum standards for the granting of a conditional use permit. In addition, the site and operational plan application shall also comply with all federal, State, County or Village requirements. And they must satisfy all conditions of approval before the Village Plan Commission grants its final approval.

The staff recommends approval. However, this is a public hearing, and the petitioner has been very patiently waiting all night.

Michael Serpe:

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

Jeff Risby:

My name is Jeff Risby, and I represent Verizon Wireless interest in this development. I have about a two hour presentation. So if you guys have a little time.

Michael Serpe:

As soon as we shut the lights off you'll be all by yourself.

Jeff Risby:

I'll spare you. It's been a pleasure to work with both Jean and Peggy and staff members here. And we do recognize that it is a work in progress, and we intent to continue to work on this until we've met all conditions.

Michael Serpe:

Anybody else wishing to speak. Hearing none, we'll close the public hearing. I have a question. Is there a standby generator at every telecommunication tower?

Jean Werbie-Harris:

No. It depends. In the Village no.

Jeff Risby:

I can answer that question. No, not every wireless facility throughout the nation has a standby or backup generator. Most of them, yes, they do either by a standby generator on site or a generator plug that would actually plug into a temporary generator that could be located on the site. It is Verizon's policy as part of its network standards to have emergency backup power on all of its sites.

Michael Serpe:

Do you know is it AT&T's policy as well?

Jeff Risby:

I can't speak for AT&T's network. Every carrier's network has their own policies and standards for the way that their network operates.

Michael Serpe:

How big is the generator?

Jeff Risby:

This one was proposed natural gas so it's a little bit larger than our diesel generators.

John Braig:

I think I saw 50 kW somewhere.

Jeff Risby:

Well, it's actually 60 kV on a natural gas generator. It's a pretty large unit.

Michael Serpe:

The reason I'm bringing this up that building can house three companies, is that right? Four?

Jeff Risby:

Not necessarily. We've given a lot of information to the Village as far as the design of that building. No building is a cookie cutter for a wireless provider. We've discussed that with staff depending on that carrier's technology, depending on how many frequencies they operate on. Things of that nature determines what kind of equipment that they need, the size of the structure, if they need equipment at all. Some of them use outdoor equipment which are very small. Some of them, because they operate on multiple frequencies, use multiple radio racks. So it's not a cookie cutter.

John Braig:

Another question. Does We Energies have distribution in that area?

Jeff Risby:

For electric?

John Braig:

For electric service, yes.

Jeff Risby:

I'm sure it's We Energies.

John Braig:

Have you had contact with them yet?

Jeff Risby:

Time Warner for -- well, I don't coordinate our electric and telco. That's done by our architect and engineer. They coordinate all of our utilities. So, yes, we've been in contact with them in addition to Time Warner as well. They bring our fiber into the site.

John Braig:

Jean, maybe you know. The little residence that functioned as an office building in the park there, do you remember anything about electric service to that building? I don't think it's part of the park or RecPlex.

Jean Werbie-Harris:

Are you talking about the Baby U?

John Braig:

It's now Baby U, yes.

Jean Werbie-Harris:

Okay. I'm sorry, now what was the question?

John Braig:

Do you recall how electric service got to that building? Do you know anything about it?

Jean Werbie-Harris:

I don't remember.

Wayne Koessl:

I think they get electric service along Terwall Drive.

Jean Werbie-Harris:

I'm sure they do along Terwall Terrace.

Wayne Koessl:

Pardon me, Terrace.

John Braig:

Because the only real account there is the RecPlex primary account.

Jean Werbie-Harris:

We have some pretty large ball field lighting out there, too.

John Braig:

Are those separately metered, or are they on the RecPlex system? See, the RecPlex receives electric service at high voltage.

Michael Serpe:

Where is this going?

John Braig:

I don't know.

Jeff Risby:

We're separately metered.

Don Hackbarth:

Have you read the stipulations here, and do you approve of them?

Jeff Risby:

I do.

Michael Serpe:

Anything else. Close the public hearing. What's your pleasure?

Larry Zarletti:

Mr. Chairman, I'd move approval of the conditional use permit.

Don Hackbarth:

Second.

Michael Serpe:

MOTION MADE BY LARRY ZARLETTI AND SECOND BY DON HACKBARTH FOR APPROVAL OF A CONDITIONAL USE. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you very much. You learned a lot about us tonight, right?

[Inaudible]

H. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE for the request of Cory Harpe, agent for Harpe Development to use the house located at 9985 Cooper Road in the Village Green Heights Addition #1 Subdivision as a model home.

Wayne Koessl:

Is he here?

Michael Serpe:

No. Do you want to proceed with it even if he's not here?

Jean Werbie-Harris:

She.

Wayne Koessl:

Why don't we table it. I move we table it until they're here.

Michael Serpe:

Let's get a second so we can discuss it.

Don Hackbarth:

Second.

Larry Zarletti:

On the discussion is it mandatory that the petitioner be in the audience?

Jean Werbie-Harris:

Typically we request all the petitioners to be here. I don't know if they may have called, if there was some type of family emergency or something. I'm not sure. I did not check my voice mails to see if there was a reason why they weren't here.

Larry Zarletti:

Do you know if they're time sensitive on opening the model home?

Jean Werbie-Harris:

I don't know that, but I'm sure that if they wanted to be on this agenda it must have been for a reason. So I would say that they'd probably want to have been on this agenda.

Larry Zarletti:

I don't know. I guess I kind of have a problem tabling it if, in fact, when we get to the part -- once we hear what it's about if there were questions and they weren't here to answer it I would agree you'd need to table it. But if it's a straightforward request, a no brainer and there's no rule in place in the Village that you must be present for your item, I know you normally are but.

Michael Serpe:

If we table this do we have to re-notice the next hearing?

Jean Werbie-Harris:

Not if you tabled it to a date certain.

Wayne Koessl:

Table it to our next meeting.

Jean Werbie-Harris:

But I don't have anything for that agenda at this time.

Michael Serpe:

Well, there's a motion and a second for tabling. Let's have that vote first and we'll see where that goes. On the motion to table all in favor say aye.

Voices:

Aye.

Michael Serpe:

Opposed?

Voices:

No.

Wayne Koessl:

Three to two.

Michael Serpe:

Okay, three to two. I said no. It's three to three?

Wayne Koessl:

If you said no it's four to two.

John Braig:

Do it again.

--:

Roll call vote.

Michael Serpe:

Okay, all those in favor of tabling raise your hand. One, two, three, four. Opposed? Three. Okay, it's tabled. Until the next meeting. Alright.

I. PUBLIC HEARING AND CONSIDERATION OF ZONING TEXT AMENDMENTS to amend Section 420-124 J (4) (b) related to height requirements in the M-2, General Manufacturing District; and to amend Section 420-57 H (2) related to construction design standards.

Jean Werbie-Harris:

Just to back up one meet, just for a point of clarification to the next Plan Commission, the next Plan Commission meeting is November 12, 2012, and it needs to go into the record as such so that we don't have to re-notice.

Michael Serpe:

Alright. Item I, Jean, it's all yours.

Jean Werbie-Harris:

This is a consideration of some zoning text amendments. And this relates to Section 420-124 J (4) (b) related to height requirements in the M-2, General Manufacturing District specifically as it related to Section 420-57 H (2) related to construction design standards.

On September 17, 2012 the Board adopted Resolution #12-33 to initiate some amendments to the zoning ordinance related to the height and building materials requirement allowed within the General Manufacturing Districts. The following amendments are being proposed:

Section 420-124 J (4) (b), and this relates to the height requirements in the M-2, General Manufacturing District. It is proposed to be amended as follows: The principal building height 60

feet maximum. However, the height of a principal building or part thereof may be increased to a maximum of 90 feet in height provided that for every one foot above 60 feet said principal structure shall be set back an additional 1.5 feet from all property lines.

And, again, some of the reasons that I had indicated when we initiated the resolution was that there are times when both we were working with potential companies and existing companies in the corporate park where they have certain types of equipment, manufacturing processes and other things that really would restrict us from having limited heights on a particular building. And so we wanted to be able to increase the height up to 90 feet but only if the setback is great enough in order to not pose a problem for the side setback, rear setback or street yard setback.

The second setback is one that we referenced briefly this evening. Section 420-57 H (2) related to construction design standards is hereby amended as follows: Section 420-57 H (2) (a) thru (k) to remain unchanged. However, construction design standards, in addition to any other applicable requirements or standards specified in this chapter, the following requirements or standards shall apply to construction plans unless specifically modified by the Plan Commission.

So in many circumstances now we don't have a conditional use but rather we have site and operational plans. Tonight we had a situation where we had a conditional use for Rust-Oleum. But there are other uses in our corporate park such as the We Energies Power Plan, CSW, Fair Oaks Farms. Those are three examples right now that I can think of where they have either because of the type of the use and the height of the building, or the freezer storage use within the building, that these buildings need to be constructed of a material other than block, brick or precast architectural concrete. Sometimes they have to be constructed of metal just because of the height or the type of material that's being stored inside the building. In the case of this equipment/structure that was brought down from Canada for CSW, I mean that was a very specific, unique structure that they have used at multiple facilities, and now it's coming to the in Pleasant Prairie. CSW their freezer expansion is architectural metal panels because of the material and the freezer type of component.

So what we're looking for is for the Plan Commission based on any of these elements or the height of a particular building to have discretion built into the zoning ordinance on a case-by-case basis as recommended by the Village staff. If it's a typical manufacturing or warehouse use and it's not 80 or 90 feet in height or it's not a freezer penalized section or if it's not something that's unique to that particular building, the staff's not going to recommend that it be of that type of material. But there are certain circumstances where I believe that the Plan Commission without being just a blanket statement in the zoning ordinance should have the discretion on a case-by-case basis to take a look at it and to make a determination if it makes sense because of the type of use or the height or whatever reason that is established. So that's the reason for that second amendment. This is a public hearing.

Michael Serpe:

This is a matter for public hearing. Anybody wishing to speak? We'll close the public hearing and open it up for comments and questions by the Commission.

Jim Bandura:

Jean, then shouldn't that read on a case-by-case basis, unless specifically modified by the Plan Commission based on a case-by-case situation? Would that clarify it a little more, or are we okay with what is presented?

John Braig:

You're creating a distinction between a generic or broad modification or a case-by-case. There is a difference.

Michael Serpe:

Are you comfortable with that, Jean?

Jean Werbie-Harris:

We can on a case-by-case basis. I can certainly say, or based on unique use of the building or specific height regulations. If you want me to get more specific I can. But I guess I was trying to say I really wanted to leave it on case-by-case basis or as determined by the Plan Commission based on -- I mean I can say based on certain circumstances.

Jim Bandura:

I mean as long as you're okay with that and that's understood then I guess we can leave it.

Michael Serpe:

Not every application that comes forward that's going to ask for this is going to come to the Plan Commission, is it?

Jean Werbie-Harris:

I'm sorry.

Michael Serpe:

Is every application that's going to request something different like an aluminum sided structure addition going to come to the Plan Commission for our approval?

Jean Werbie-Harris:

If it's steel or architectural metal panel then it will come to the Plan Commission. We have at least four existing buildings in the corporate park today. So with respect to CSW and their freezer expansion they already have a building that is, and I'm not sure if you're aware of that, but they already have a building that's architectural metal panels. So specifically I could have brought that to your attention, but it's an existing building. But this actually gives you that authority. And

I will specifically cull that out for you on a case-by-case basis to make sure that you're aware of that.

Michael Serpe:

I don't have a problem with you making that decision.

Jean Werbie-Harris:

So I can say unless specifically modified by the Plan Commission on a case-by-case basis.

Wayne Koessl:

That sounds good.

Larry Zarletti:

Mr. Chairman, I would move approval then with that modification under number 2.

Michael Serpe:

Is there a second?

Judy Juliana:

Second.

Michael Serpe:

MOTION MADE BY LARRY ZARLETTI AND SECONDED BY JUDY JULIANA FOR THE APPROVAL OF THE ZONING TEXT AMENDMENT 40-124 AND 420-57 WITH MODIFICATIONS ON THE DESIGN ON NUMBER 2. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

K. Consider the discontinuance of a portion of 115th Street within the Kings Cove Subdivision.

Jean Werbie-Harris:

Members of the Plan Commission, on September 4, 2012 the Village Board approved Resolution #12-29 to initiate the discontinuance of a portion of 115th Street right-of-way west of 18th Avenue, which has been designated as a public right of way on the final plat of the Kings Cove Subdivision.

This portion of 115th Street, as shown on the slide, roadway was never constructed as a part of the development of the Kings Cove Subdivision. It was determined at that time that when and if the land to the west developed at that time that those improvements would be installed. And it has been determined through a recent floodplain study that the land within and adjacent to the 115th Street right of way is located within the 100-year floodplain. In addition, municipal sanitary sewer, water and storm sewer infrastructure were never constructed in said right of way.

Based on the environmental floodplain restrictions on the land within and adjacent to the platted 115th Street right of way, it is unlikely that further development could not occur west of the 115th Street right of way as originally anticipated. On September 17, 2012 all required property owners were notified via regular mail; and the required Class 3 notice was published in the *Kenosha News* on September 24, October 1 and October 8, 2012 to notify the public of the public hearing being that is going to be held before the Village Board on October 15, 2012.

The land on both sides of the proposed street discontinuance is owned by Banks of Wisconsin. Therefore, upon the vacation of this portion of 115th Street the land will be split and transferred to the landowners on either side, Banks of Wisconsin. The staff recommends that the Village Board approve the discontinuance of a portion of 115th Street west of 18th Avenue within the Kings Cove Subdivision as presented. And, again, the Village Board will be holding the public hearing regarding this matter.

Jim Bandura:

Move for approval.

Judy Juliana:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY JUDY JULIANA FOR APPROVAL OF DISCONTINUANCE OF A PORTION OF 115TH STREET. ALL IN FAVOR SAY AYE.

Voices:

Aye.

John Braig:

I abstain.

Michael Serpe:

Jean, one question. Tonight was a rather lengthy agenda. I don't know what the future holds, but at one time we were in two Plan Commission meetings a month. If it comes to that with agendas like this, maybe we should call for split them up a little bit.

Jean Werbie-Harris:

Actually in my budget for 2013 I do add six or eight additional Plan Commission meetings. So there will be times that we'll be going back to two meetings a month because this was a very lengthy meeting. Unfortunately, a number of the initial items were pushed back from an original meeting date. And I have to tell you that the planning staff and engineering staff is very busy right now, and we are working with many new uses in the Village. So we will likely need to be --

Michael Serpe:

I think that's a good idea.

Don Hackbarth:

I've got a comment, too. Do we have to stick by this agenda where somebody comes for a couple of cell tower antennas and waits through this whole -- can't we put him in the beginning like we did with Item J or whatever it was.

Jean Werbie-Harris:

It's up to the Plan Commission if you would like to move an item. Typically Robert's Rules of Order dictate that you hold public hearings first. But if there is a particular request made like the gentleman from CSW is made this evening, then the Plan Commission certainly can move it up.

Don Hackbarth:

I felt so bad for this guy sitting through this whole meeting.

Michael Serpe:

I agree with you, Don.

Larry Zarletti:

And the thing is I'm feeling like drastic times call for drastic measures. I totally understand that we've gone to one meeting a month. You've got a budget to have more than one meeting a month. But I think if this happens or is going to happen you could tell my looking at the agenda this was going to be a marathon. So just do two meetings in that month. I mean do you need Board approval for that? Is it such a dramatic cost for one month to do two of them? I kind of felt bad for the residents that were here. I'm kind of looking at staff feeling like it's 9:30 on a work night. It's crazy.

Jean Werbie-Harris:

Actually we do have a Plan Commission meeting on Monday. You know that, on October 15th at 3:00.

Michael Serpe:

What's that for?

Jean Werbie-Harris:

BP Amoco. So actually that Harpe item could have continued.

Michael Serpe:

This coming Monday at 3:00?

John Braig:

Yeah, this coming Monday.

Wayne Koessl:

If she's here have her come here so we can do her first.

Jean Werbie-Harris:

I can't unless you reconsider.

Larry Zarletti:

Have we adjourned yet?

Jean Werbie-Harris:

No, you'd have to go back and reconsider.

Larry Zarletti:

If we haven't adjourned can we say that based on new information at meetings end that we want to talk about it? I think it's just fair, that's all.

Michael Serpe:

That's a good question. I think we should kick that around. I think we should reconsider that.

John Braig:

I think we could rescind that previous action.

Jean Werbie-Harris:

Is there a motion?

Larry Zarletti:

I mean it still gets tabled, it just doesn't get tabled until November.

Michael Serpe:

If somebody wants to make a motion make the motion.

Wayne Koessl:

I would move we rescind the action on the Item from the November meeting --

John Braig:

Just rescind the action then we'll take --

Wayne Koessl:

I rescind the action.

John Braig:

Second it.

Michael Serpe:

That's on Item H?

Jean Werbie-Harris:

Yes.

Michael Serpe:

OKAY, MOTION MADE BY WAYNE KOESSL AND SECONDED BY JOHN BRAIG TO RESCIND THE ACTION TAKEN ON ITEM H WHICH IS TABLING. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? Okay.

Larry Zarletti:

Now you want to re-table it, right?

Michael Serpe:

So you want to hear it now?

Larry Zarletti:

No, he wants to retable it.

Jean Werbie-Harris:

Retable it to October 15th.

John Braig:

That's a Monday and it's in the afternoon. Will that party be available during that afternoon?

Larry Zarletti:

They're going to have to be, otherwise we'll go into November.

John Braig:

One other item please.

Larry Zarletti:

Wait, we've got to vote on that, right?

Michael Serpe:

All those in favor of the rescheduling it for the October 15th Plan Commission meeting, which is this coming Monday, say aye.

Voices:

Aye.

John Braig:

My concern is what should be on the following agenda.

Jean Werbie-Harris:

No, no other such comments [inaudible].

8. ADJOURN.

John Braig:

Move adjournment.

Judy Juliana:

Second.

Michael Serpe:

Motion made and seconded to adjourn. All those in favor say aye.

Voices:

Aye.