

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
November 28, 2005**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on November 28, 2005. Those in attendance were Thomas Terwall; Donald Hackbarth; Wayne Koessler; Jim Bandura; John Braig; and Larry Zarletti. Michael Serpe and Judy Julia were excused. Eric Olson was absent. Also in attendance were Michael Pollocoff-Village Administrator; Jean Werbie, Community Development Director; Peggy Herrick, Assistant Village Planner and Zoning Administrator and Tom Shircel, Assistant Village Planner and Zoning Administrator..

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE NOVEMBER 7, 2005 PLAN COMMISSION MEETING.**

Jim Bandura:

Move for approval.

Wayne Koessler:

Second.

Tom Terwall:

MOTION BY JIM BANDURA AND A SECOND BY WAYNE KOESSL TO APPROVE THE MINUTES OF THE NOVEMBER 7, 2005 PLAN COMMISSION MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

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

Tom Terwall:

If you're here for Items A, B, C or D those are all items for public hearing. We would ask that you hold your comments until the public hearing is held so your comments can be incorporated as part of the public record. However, if you're here for Item E or for any item not on the agenda now would be your opportunity to speak. We would ask that you step to the microphone and begin by giving us your name and address. Anybody wishing to speak under citizens' comments?

6. NEW BUSINESS

Tom Terwall:

Since Items A and B are related, I'll entertain a motion to consider those two items together but two separate votes.

John Braig:

So moved.

Larry Zarletti:

Second.

Tom Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY LARRY ZARLETTI TO CONSIDER ITEMS A AND B TOGETHER AS ONE COMBINED PUBLIC HEARING WITH THE UNDERSTANDING THERE WILL BE TWO SEPARATE MOTIONS. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- A. PUBLIC HEARING AND CONSIDERATION OF A FINAL CONDOMINIUM PLAT for the request of Regency Hills-Creekside Crossing, LLC, owner, for the property generally located north of 93rd Street at 63rd Avenue for approval of the Final Condominium Plat for the proposed first stage of the Creekside Crossing Condominiums which includes 4-2 unit condominium buildings; 11 4 unit condominium buildings; and 8-8 unit buildings.**

- B. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT AND ZONING TEXT AMENDMENT for the request of Regency Hills-Creekside Crossing, LLC, owner, for the property generally located north of 93rd Street at 63rd Avenue to rezone the area for the first stage of the Creekside Crossing Condominiums from the from R-8 (UHO), Urban Two Family Residential**

District with and Urban Landholding Overlay District to R-8 (PUD) Urban Two Family Residential District with a Planned Unit Overlay District; R-9 (UHO), Multiple Family Residential District with an Urban Landholding Overlay District to the R-9 (PUD), Multiple Family Residential District with a Planned Unit Overlay District; and R-10 (UHO), Multiple Family Residential District with an Urban Landholding Overlay District to the R-10 (PUD), Multiple Family Residential District with a Planned Unit Overlay District; and a Zoning Text Amendment to create the specific PUD Ordinance requirements for the Creekside Crossing Condominiums pursuant to Chapter 420-137 of the Village Zoning Ordinance.

Jean Werbie:

Mr. Chairman and members of the Plan Commission, the petitioner is requesting approval of the Final Condominium Plat for Stage 1 of the proposed Creekside Crossing Development to be known as Creekside Crossing Condominiums and Zoning Map and Zoning Text Amendments related to the Planned Unit Development for this first Stage of the Condominiums. The proposed Creekside Crossing Condominiums are generally located north of 93rd Street at 63rd Avenue.

The Village has been working with this Developer, Regency Hills-Creekside Crossing, LLC, for approximately two years and with a number of other developers since 1994. To date the Village has approved the following plans related to the current Development:

< On May 25, 2002, an amendment to the Whittier Creek Neighborhood Plan was approved by the Plan Commission.

< On March 3, 2003, the Conceptual Plan was conditionally approved by the Village Board.

< On October 20, 2003, the Preliminary Plat for the Creekside Subdivision was conditionally approved by the Board and a Preliminary Condominium Plat for the Creekside Crossing Condominiums was conditionally approved by the Board. Pursuant to the Preliminary Plat and Preliminary Condominium Plat conditionally approved the project developer proposes to develop 12.01 acres with 24 single-family lots, 64.07 acres excluding wetlands and floodplain for 34 two-unit condominium buildings, 17 four-unit condominium buildings, and 19 eight-unit condominium buildings. In addition, 18.18 acres of land will be used for new public right-of-ways, and 27.79 acres will be designated as open space. The single family lots will have a net density of 2.00 units per acre with an average single-family lot size of 21,804 square feet which is just under a half acre. The Condominium areas will have a net density of 4.5 units per acre. The entire site upon full development will have a net density of 4.10 units per acre.

< On October 20, 2003 the Village Board approved Resolution #03-42 related to the Floodplain Boundary Adjustment, the DNR approved the floodplain boundary adjustment on January 13, 2005 and the Developer received a Conditional Letter of Map Revision from the Federal Emergency Management Agency. The Interim Mass Grading Development Agreement as discussed below includes the Floodplain Boundary Adjustment for the mass grading area. The Floodplain Boundary Adjustment for the remainder of the site will be completed with the installation of the improvements associated with Stage 2-Condo.

The floodplain boundary adjustment couldn't be approved by the DNR and FEMA in stages, and the floodplain boundary map and zoning text amendment cannot be completed in phases; buildings will not be able to be constructed in all portions of Stage 2-Condo and Stage 3-Condo until FEMA issues a Letter of Map Revision which is their LOMR and the Village Zoning Map and Text are corrected.

Upon completion of the floodplain boundary adjustment for the entire site the Developer will be responsible to submitting topographic as-built maps with soil calculations specifically identifying the location and volumes cut and filled. The Developer will then submit and receive a Final Letter of Map Revision from FEMA. Upon receiving the LOMR from FEMA, the Developer shall request a Zoning Text and Map Amendments to amend the Floodplain Text of the Ordinance and to amend the Map. A Certificate of Compliance with the floodplain boundary adjustment shall not be issued until the Text Amendment are amended by the Village.

< On October 20, 2003 the Village Board approved the first Zoning Map Amendment for the property based on the Preliminary Plat and the Preliminary Condominium Plat as follows:

- The single family lots were rezoned to R-4, Urban Single Family Residential District;
- the two-family condominium areas were zoned to R-8 (UHO), Urban Two Family Residential District with an Urban Landholding Overlay District;
- the four-family condominium areas were zoned to R-9 (UHO), Multi-Family Residential District with an Urban Landholding Overlay District;
- the eight-unit condominium areas were zoned R-10 (UHO), Multi-Family Residential District with an Urban Landholding Overlay District;
- the field delineated wetlands were zoned C-1, Lowland Resource Conservancy District; and
- the Outlots used for open space and retention areas were zoned PR-1 (UHO), Park and Recreational District with an Urban Landholding Overlay District

The portions of the property that are currently zoned FPO were not amended by Ord. #03-43. Upon completion and approval of the Floodplain Boundary Adjustment by FEMA, the Text and Map will need to be amended.

The UHO areas will be removed and replaced with a PUD at the time that the condominium plats are to be considered and the specific PUDs are presented.

- < On May 2, 2005, the Village Board granted a Variance from Section 395-80 of the Village Land Division and Development Control Ordinance to begin mass grading for the area to be included within the first phase of development which will include Stage 1-SF and Stage 1 Condo including the floodplain boundary adjustment for the first phase of development prior to approval of the Final Plat and Final Condominium Plat.
- < On June 6, 2005 the Village Board approved the Development Agreement and related documents for the mass grading to commence.
- < On June 13, 2005 the Village approved and issued a Stipulated Shoreland Permit #05-04 for grading within the Shoreland area.
- < On August 15, 2005, the Village Board approved the Final Plat for Stage 1 of the Creekside Crossing Subdivision that including 15 single family lots and six outlots. Outlots 2, 3, 4 and 6 are proposed to be further subdivided for the condominium development; Outlot 5 was dedicated to the Village as a Park and Outlot 1 is being used for storm water management purposes.

As a part of the Final Plat the following public roadways were dedicated and are under construction:

- < Creekside Circle adjacent to Outlots 1, 3, 4, 5 and 6. A portion of Creekside Circle is being dedicated and not constructed with this stage of development –north of 66th Avenue and north of 92nd Place.
- < 92nd Place east of Creekside Circle
- < 62nd Court East of Creekside Circle
- < 63rd Avenue north of 93rd Street; and
- < 66th Avenue south of Creekside Circle.

The Final Plat included the following public infrastructure: Sanitary sewer, water and storm sewer within the aforementioned public roadways and within easement areas for the future private roadways, with the exception of municipal sanitary sewer within 90th Place and a portion of Creekside Circle south of 90th Place. Retention basins located on Outlots 1, 3 and 4 are being constructed with the Final Subdivision Plat.

Residential Development:

The single family development is being constructed in two stages:

- < Stage 1: 15 single-family lots (hereinafter referred to as Stage 1-SF); and
- < Stage 2: 9 single family lots (hereinafter referred to as Stage 2-SF).

The Condominium development is proposed to be completed in three stages:

- < Stage 1: 116 condominium units, (hereinafter referred to as Stage 1-Condo)
- < Stage 2: 124 condominium units (hereinafter referred to as Stage 2-Condo); and
- < Stage 3: 48 condominium units.

Population Projections: The entire development, upon full build-out will have 312 dwelling units, with approximately 852 persons. That's based on the Village's 2.73 persons per dwelling unit. The Village provides copies of proposed developments to KUSD in order for the to project school age children from each development that occurs in Pleasant prairie. Based on their calculations, 131 public school age children could be anticipated at full buildout from this development.

Open Space: Pursuant to the Preliminary Plats for the entire development approximately 27.79 acres or 23% of the development. The open space within the development includes:

Parkland: As indicated in the Neighborhood Plan an open space corridor will be extended from 93rd Street north along the Jerome Creek that traverses the Creekside Development and connects two park areas. Pursuant to the Preliminary Plat the park areas, totaling 2.64 acres are proposed to be dedicated to the Village within the Creekside Crossing development. In addition, a 15 foot easement is being dedicated along the west side of the Jerome Creek and a 10 foot wide pedestrian path will be constructed within that easement that will connect the two park areas. The trees along the creek will be preserved to the extent allowed by the Wisconsin DNR and as allowed by the engineering plans as presented.

Wetlands: A total of 4.58 acres of wetlands located within several of the Outlots will be preserved. The wetlands on the property have been re-staked and field delineated by Hey & Associates on June 17, 2002. The Army Corp of Engineers approved the wetland staking on April 22, 2003. Final written approval from the DNR has been obtained pursuant to the e-mail from Heidi Hopkins dated February 2, 2005 that indicated that if a Chapter 30 permit is issued by the Department wherein delineation was included then the delineation is deemed approved. On April 5, 2004 the DNR approved and issued a Chapter 30 permit and therefore the wetland staking delineated by Hey & Associates was approved by the DNR on April 5, 2004.

Floodplain and Shoreland: On June 5, 2002, the Wisconsin DNR located the Ordinary High Water Mark adjacent to the Jerome Creek that traverses the property. The Jerome Creek and adjacent areas are located within the 100 year floodplain and the Creek has been designated as wetland. As indicated on the Neighborhood Plan, the Conceptual Plan, the Preliminary Plat, Preliminary Condominium Plat and Final Subdivision Plat a floodplain boundary adjustment for floodplain associated with the south branch of the Jerome Creek that traverses the property will be required to develop the site. After the floodplain boundary adjustment, 17.68 acres of floodplain will be located within the Creekside Crossing Development.

A total of 1.89 acres of other non-wetland and non-floodplain area located within two Outlots will remain in open space.

Retention Areas: Several retention facilities to handle the storm water management requirements are provided. The Developer's engineer has evaluated the development site, as well as the entire drainage basin tributary to the development and as a part of the engineering plans has included a storm water management facility plan which meets the Village requirements. The retention facilities located throughout the development are proposed to be used for storm water management purposes and will be maintained by either the Condominium or Homeowners Associations rather than the Village of Pleasant Prairie.

Site Access: Two access points onto 93rd Street and one to Old Green Bay Road will be constructed. Stage 1-SF and Stage 2-SF and Stage 1-Condo will be developed with the two access points to 93rd Street. Stage 2-Condo and Stage 3-Condo will be developed with a third access point to Old Green Bay Road through the former Spiller property. This development provides for additional access connections as vacant land around this property develops both to the north as well as to the east. The developer is working on some revisions to 89th Street so that we know that at the very north end of their site that it falls within the parameters of the neighborhood plan for the entire development. So when and if adjacent lands to the north and to the east do develop that 89th Street is located in the correct location.

Final Condominiums Plat for Creekside Crossing Stage 1.

Stage 1 of the Creekside Crossing Condominium consists of 4 2-unit condominium buildings, 11 4-unit condominium buildings and 8 8-unit condominium buildings. There are 11 color combinations for exterior building materials that include 10 brick colors, 10 siding colors and three roof colors and four door colors. There's a chart that Peggy has put up on the slide as well as in your packets that does outline all of these color selections for each of the buildings. Also, the boards that are placed on the easels across the room also provide some very good selections of how they have combined the siding, roofing and brick or stone materials for each of the buildings.

The two unit buildings: 1st Floor units range in size from 1,290 sq. ft. to 1,773 sq. ft. with 2 bedrooms and basements that range in size from 1,187 sq. ft. to 1,659 sq. ft. Each unit has a two car attached garage with the exception of building 19, which has one three car attached garage.

The four unit buildings: 1st Floor units are 1,400 sq. ft. with 2 bedrooms and 1,394 sq. ft. basement; and the 2nd Floor Units are 1,782 sq. ft. with 2 bedrooms with a bonus room. Each unit has a two car attached garage.

The eight unit buildings: 1st Floor units range in size from 1,380 sq. ft. to 1,447 sq. ft. with 2 bedrooms and basements that range in size from 1,352 sq. ft. to 1,432 sq. ft.; and the 2nd Floor Units range in size from 1,679 sq. ft. to 1,853 sq. ft. with 2 bedrooms with a bonus room. Each unit has a two car attached garage.

The public improvements and private roadway improvements for Stage 1 of the Creekside Crossing Condominium were approved, are being installed and were financially secured pursuant to the Village Board approved Engineering Plans and Development Agreement, letters of credit for the Creekside Crossing Subdivision as approved by the Village Board on August 15, 2005.

The Final Condominium Plat is consistent with the Village's Comprehensive Plan, the Whittier Creek Neighborhood Plan; the Conceptual Plan for Creekside Crossing Development and the Preliminary Condominium Plat.

The second part of this approval request this evening is the zoning map and text amendments. Attached is a copy of the proposed PUD for the first stage of the Creekside Crossing Condominiums. The PUD is for stage 1 only with a second and third stages to develop zoning text and map amendments as the projects are presented to the Village.

Both of these items are matters for public hearing. Again, we have a representative here in the audience to answer any questions that you may have. The boards over on the easels depict the units for you, and Peggy has gone through the various slides. One of the slides she has up there right now is specifically the landscaping plan that identifies all of the plantings that they intend to do. We had done some calculations, or actually the developer had done some calculations with respect to the numbers of plantings. This more was done for the staff's benefit, but also for the Plan Commission and the Board that when new developments come in they are required to plant street trees, do all the plantings in the cul-de-sac islands, at the intersections. They have common areas that they plant. In this case they're planting around all the utility pedestals as well. They have landscape easements along 93rd Street, and they have some boulevard entrance treatments. So with that the total number of new plantings that they intend to do on this site is 1,055 new plants with 160 street trees. I just wanted to bring it to your attention that we are requiring the developers that if there are any trees that are cut as a result of the grading and development that occurs they do have to replant everything up to a greater extent than what was there before in order to create a greener community.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak? Hearing none, I'll open it up to comments from Commissioners and staff.

Jim Bandura:

I just want to compliment staff on their dedication on all of this. I do have one item that I just can't believe that you happened to pick up on. It was Item 1C regarding the garages and the units not being sold as separate entities. I really think that's great and for you guys to get that far into it and to protect the people that are buying this and moving into the Village, and just all around protecting the Village's interests I think this is great. This reminds me of what they're doing in Chicago as they're selling parking lots and parking spaces for people that own condominiums and townhouses. That's just unbelievable. I've heard of problems happening with this for people selling and buying. I just have to compliment staff.

Jean Werbie:

That was actually something that we had discussed in a previous condominium development. We didn't think that it was an issue then and we didn't initially bring it up with respect to this development, but we have established a long-term and now a very close working relationship with the land information office for Kenosha County, and they are now actually reviewing detail by detail our plats along with us now. It was brought up to our attention by Al Brockmeyer that it is a problem right now in Kenosha County with this very thing happening. He said that even

though we don't think it's going to happen, we should very well put it in here and bring it to their attention because we do not want to have a situation where we've got businesses worked out of these garages or they're selling individual units for who knows what purpose. So it was a good catch by Kenosha County. We had thought about it earlier, but I just wanted to let you know that it's something we are concerned about and we want to make sure the developers are as concerned as we are that we want the residents who live there to be using these garages. We don't want them to be sold out or parceled out if you will to entities outside of the community.

Wayne Koessler:

Mr. Chairman, the only comment I have is most of the units have inside dining areas, and to me it's like eating in a closet. I'd never buy one.

John Braig:

We got an awful lot of material and data presented to us in our packets, but nowhere in there was there any indication of where the outlots were or their numbering system. Other than that partial representation on the wall there, we see nothing. I know we were talking about parkland and trailways. One of the things that still irritates me without any question, the statement, again, the trees along the tree creek will be preserved to the extent allowed by the Wisconsin Department of Natural Resources. At the previous meeting I asked for a clarification of it. Right now there isn't a tree on this site. I don't call that tree preservation. I'm not angry with the staff. I'm just saying that I feel as a Commissioner I've been misled and I'm opposed to this project because of it.

Jean Werbie:

I guess with respect to the outlots, and I just have to go back, I read through and there were approximately ten different approvals that the Plan Commission had seen the whole project as a whole, especially with the earlier stages with the preliminary plat. We're now just focusing in on a final plat for the condominium. So the final plat for this condominium does not have any outlots associated with it other than the one retention basin on the far--it's not even in this phase, it's in the subsequent phase, so there aren't any outlots associated with this particular phase. Again, all of that previous work had been done over the several previous meetings that we had had. That's why we did include some additional maps. But when we get to these phases if you'd like to see the overall map again back in the packet, we actually just did put the final plat map in for this particular one.

John Braig:

But the outlots aren't indicated on that small sketch. And the reason for bringing it up again is because we had discussions about a trail along the creek and maybe a little park or something that would add some character to the place. I just see a big dust bowl which is what the residences in the area tolerated all summer.

Jean Werbie:

When it was platted the previous time the area that was in yellow is the area adjacent to the creek that shows the walkway or pedestrian access easement, and this one also shows the outlots again

that were identified as well as the park area. Again, we can give you all the maps again when we get to final plat, but you had seen them so many times before that I didn't know that you needed to see those again. This final plat was approved for the subdivision which dedicated the outlots in the park was done in August, so this is a second phase. But if it would be more helpful, we can certainly put the preliminary plat copy in each one as well so that we can continue to track. We didn't know if you still had all that information.

Tom Terwall:

Do we need it in our own packet, or is it okay if she just has it in her presentation? It's up to you, John.

John Braig:

I really didn't need it, and under normal circumstances you're right, we've seen it and we knew there were outlots. But I'm stewing about the scenic walkway and so on. And when you refer to an outlot I can't even turn to it and see where it is. From what I can see on the print other than the 15 foot wide walkway through the area, there's nothing of a park that ties into it. But you refer to a parkland that is part of an outlot. I couldn't see where that park is going to be. That's my concern. Not so much where the outlots were but where's the park.

Jean Werbie:

It was dedicated previously and the parkland is right here. Then there's also going to be a park up in this area here. Then all of this is open floodplain area, and then the creekside walk is coming on the west side of the waterway that traverses through the property from the northwest down to the southeast.

Larry Zarletti:

Oftentimes I've been perplexed by the degree of hoops you need to jump through to get something done in the Village and some of the standards that are set. But looking at this project I can see that it's really paid off. I think this is a great looking project. I think it's something that definitely bodes well for the Village, and I think the staff did, as Jim pointed out, an excellent job putting it together.

Tom Terwall:

Hearing no further comments, there's two issues before us tonight. The first one is the consideration of the final condominium plat. A motion to either recommend or deny. It needs to go to the Village Board. So let's get a motion to that effect.

Jim Bandura:

Mr. Chairman, I would recommend approval.

Larry Zarletti:

Second.

Tom Terwall:

IT'S BEEN MOTIONED BY JIM BANDURA AND SECONDED BY LARRY ZARLETTI TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE FINAL CONDOMINIUM PLAT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed?

John Braig:

Opposed.

Wayne Koessl:

No.

Tom Terwall:

That's four to two. The second then is a motion to the Village Board either recommending approval or disapproval of the zoning map amendment and the zoning text amendment for the condominium portion. What's your pleasure?

Larry Zarletti:

I'd move approval of Item B.

Jim Bandura:

Second.

Tom Terwall:

MOTION BY LARRY ZARLETTI AND A SECOND BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AMENDMENT AND THE ZONING TEXT AMENDMENT. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed?

John Braig:

Opposed.

Wayne Koessl:

No.

Tom Terwall:

Four to two.

C. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT for the request of Regency Hills-Creekside Crossing, LLC, owner, for the property generally located north of 93rd Street at 63rd Avenue to use building 21 of the Creekside Crossing Condominiums as model sales buildings for the Development.

Jean Werbie:

Members of the Commission, this is a request by Regency Hills-Creekside Crossing, owner, for the property generally located north of 93rd Street at 63rd Avenue to use building 21 of the Creekside Crossing Condominiums as a model sales building for the development. This is a public hearing as part of a conditional use. As a part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request as presented and described below:

Findings of Fact

1. The petitioner is requesting a Conditional Use Permit to use Building 21 of Creekside Crossing Condominiums as model sales buildings for the Condominium development as provided in Exhibit 1.
2. Building 21 is a four unit building located at the southwest corner of 63rd Avenue and Creekside Circle.

Basement lower 2 units: 1,364 square feet
2 Lower Units: 1,400 square feet per unit
2 Upper Units: 1,782 square feet per unit
Each unit has a two car attached garage

3. The current zoning of the property is R-9 (UHO) Multi-Family Residential District with an Urban Landholding Overlay District and is proposed to be rezoned to R-9, (PUD), Multi-Family Residential District with a Planned Unit Development Overlay. A hearing

for the Zoning Map Amendment was discussed at the public hearing held earlier tonight and the zoning map amendment is proposed to be considered by the Village Board on December 5, 2005. Model units and related temporary real estate sales offices or marketing centers are allowed in the R-9 District with a Conditional Use Permit.

4. A hearing for the Final Condominium Plat was discussed at the public hearing held earlier tonight and the Final Condominium Plat is proposed to be considered by the Village Board on December 5, 2005.
5. The first year public improvements are being installed pursuant to the Final Plat for the Creekside Crossing Subdivision that was approved by the Village Board on August 15, 2005 by Resolution #05-44. Public improvements are proposed to be completed shortly.
6. The petitioner has requested a Variance from Section 395-81 of the Land Division and Development Control Ordinance to begin construction of Building 21 of the condominiums development prior to completion of Phase I of the required public improvements. The Village Board is holding the required Public Hearing to consider this request on December 5, 2005.
7. Notices were sent to adjacent property owners via regular mail on November 11, 2005 and notices were published in the *Kenosha News* on November 7 and 14, 2005.
8. The petitioner was e-mailed a copy of this memo on November 21, 2005.
9. According to Article XVIII of the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials and information presented at the public hearing that the project as planned will not violate the intent and purpose of all Village Ordinance and meets the minimum standards for granting of a Conditional Use Permit.

I also do want to point out a couple of comments that the staff has further on. That has to do with the timing. The staff is going to be recommending that the facilities not be open past nine o'clock on the evening. Proper exterior maintenance of the property shall be provided but not limited to lawn and yard maintenance and snow removal. The facility shall be completely landscaped pursuant to the approved landscape plan prior to occupancy. The facilities will be required to be handicapped accessible and shall meet all ADA requirements. And if the model sales unit and related sales office and marketing center is to be converted back to a living unit, proper permits and certificates of occupancy shall be obtained from the Village before that conversion. Those are the facts of finding as gathered. This is a matter for public hearing.

Tom Terwall:

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

Wayne Koessl:

Mr. Chairman, if you look at the number of units going in there that's going to be another 1,700 cars using Highway 31 and 165, so I hope Wis DOT is looking at that when they finalize their plans for 165 and 31.

Tom Terwall:

Anybody else? If not, I'll entertain a motion.

Jim Bandura:

Move for approval.

Larry Zarletti:

Second.

Tom Terwall:

MOTION BY JIM BANDURA AND A SECOND BY LARRY ZARLETTI TO APPROVE THE CONDITIONAL USE PERMIT. I JUST HAVE ONE COMMENT, JEAN, AND I WANT TO MAKE SURE THAT THIS GETS PASSED ONTO THE VILLAGE BOARD. THAT BY APPROVING THIS, ASSUMING IT PASSES TONIGHT, THAT THE PLAN COMMISSION IS IN NO WAY TAKING A POSITION ON THE PUBLIC HEARING COMING UP NEXT MONDAY NIGHT BEFORE THE VILLAGE BOARD TO APPROVE EARLY CONSTRUCTION. I DON'T WANT THE APPROVAL OF THIS TO BE USED AS EVIDENCE THAT THE PLAN COMMISSION SUPPORTS THAT. IT'S NOT OUR POSITION TO SUPPORT IT OR NOT SUPPORT IT, SO I WANT TO MAKE SURE THAT IT'S UNDERSTOOD BY THE VILLAGE BOARD THAT WE'RE NOT TAKING A POSITION AT ALL ON THE APPROVAL OF THAT VARIANCE. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed?

John Braig:

Opposed

Wayne Koessl:

No.

Tom Terwall:

Four to two.

D. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT(S) to amend Chapters 420-105 F. (8), 420-106 F. (8), 420-107 F. (8), 420-108 F. (8), 420-109 F. (8), 420-110 F. (8) and 420-111 F. (8) of the Village Zoning Ordinance related to permitted roofing materials for single-family dwellings (including accessory garages and carports) in the R-1, R-2, R-3, R-4, R-4.5, R-5 and R-6 residential zoning districts.

Jean Werbie:

This is a matter for public hearing. Public Hearing and Consideration of Zoning Text Amendments to amend Chapters 420-105 F. (8), 420-106 F. (8), 420-107 F. (8), 420-108 F. (8), 420-109 F. (8), 420-110 F. (8) and 420-111 F. (8) of the Village Zoning Ordinance related to permitted roofing materials for single-family dwellings including accessory garages and carports. This would affect the residential zoning classifications of the R-1, R-2, R-3, R-4, R-4.5, R-5 and R-6 residential zoning districts.

On October 17, 2005 the Village Board approved Resolution #05-59 to initiate a Zoning Text Amendment at the request of Trustee Tiahnybok to amend the Village Zoning Ordinance to allow standing seam metal roofs as a permitted roofing material for single-family dwellings including accessory garages and carports in the single-family residential zoning districts.

The proposed Zoning Text Amendment would require amendments to the districts that I just read into the record, R-1 through R-6.

Pursuant to each of the Single-Family Dwelling Standards in each of the Residential Zoning Districts as noted above, the Ordinance language pertaining to roof materials is as follows:

“Permitted roof surface materials (including accessory garages and carports) include wood shakes, asphalt, fiberglass, composition or wood shingles, clay tiles, concrete tiles, slate or other appropriate roofing material as approved by the Village Zoning Administrator.”

Note that metal roofs, including standing seam metal roofs, are not included as permitted roof surface materials.

Under the “...or other appropriate roofing material as approved by the Village Zoning Administrator” provision, the Zoning Administrator has reviewed requests for non-permitted roofing surface materials, such as metal roofs, on a case-by case basis. I’m going to continue reading the staff comments, and my Assistant Peggy is going to be going through the slides. We’ve taken the liberty of going through and identifying some pictures that were sent to us and that we pulled off the Internet and other sources of the metal roofing materials that would be suggested by this and non metal roofing.

In the ever evolving world of new building and roofing materials, when writing the Zoning Ordinance, it is not viable for the staff to attempt to look into the future to try to envision the next new generation of roofing materials. Similarly, it would be time consuming and unproductive for the Village staff to amend the Zoning Ordinance every time a new building and/or new roofing material was introduced into the market. Therefore, the stipulation in the Zoning Ordinance of allowing the Zoning Administrator the discretion of approving or disapproving new roofing

materials was added through a Zoning Text Amendment in September of 1998. Incidentally, that was approved by both the Plan Commission and the Board.

As an example, on August 16, 2000, the Village staff issued zoning and building permits to a Michael Sandretto, 12699 1st Court, Lot 61, Chiwaukee Subdivision for a roof surface replacement with a metal roof for an existing single-family dwelling that had a deteriorated shingled roof. This was not a permitted for a metal roof on a new dwelling, but rather a replacement roof on an existing single-family dwelling. The metal roof permit was issued with the following comments/conditions for Mr. Sandretto:

- < The existing roof construction has a low slope and a low profile of less than a 4:12 pitch.
- < The existing roof construction has two gables facing the street, which will make the metal roof virtually non-visible from 1st Court.
- < The location of the existing house is relatively remote from adjacent dwellings and abuts the Prairie Harbor Yacht Club to the south.
- < It is understood that a metal roof is not a permitted roofing material for a single-family dwelling and that the issuance of the permit for a metal roof on a single-family dwelling is an exception to the Village of Pleasant Prairie Design Standards for Single-Family Residential Zoning Districts.
- < It is understood that each request for a non-permitted roofing material is reviewed on a case-by-case basis and that the issuance of this permit does not set a precedent.

The Village staff has not issued any other permits for metal roofs on single-family dwellings since the Sandretto metal roof replacement.

The Village staff does not have issues with the new metal roofing products that are on the market that simulate the permitted roof surface materials as currently listed in the Zoning Ordinance. Such metal surface roofing materials include, but may not be limited to; metal shakes, metal shingles, metal slate and metal tiles. Exhibits 1 through 8 were provided in your packets and some of which you'll see up on the slide. These new roofing materials are aesthetically pleasing, are very similar in appearance to conventional asphalt shingles, shakes and slate and give the dwellings the true residential appearance as intended by the residential zoning districts.

On the other hand, the Village staff has the opinion that standing seam metal roofs or other certain metal roofs such as vertical metal panel roofs do not portray the necessary and desired residential aesthetic appearance for which single-family dwellings are zoned. Instead, standing seam metal roofs portray a commercial, institutional/park building appearance, which is neither appropriate nor characteristic of a typical single-family residential subdivision. Would new single-family subdivisions such as Meadowdale Estates, Village Green Heights, Springbrook Meadows, etc. look as aesthetically pleasing if all or some of the dwellings had standing seam metal roofs? In fact, most, if not all Restrictive Covenants in new subdivisions located and constructed in the Village over the past 15 years expressly prohibit metal roofs. Without proper care and maintenance, metal roofs have a potential to rust and corrode over time, which leads to a

rather unsightly appearance. Furthermore, metal roofs have a greater noise potential upon rain, hail and tree debris hitting the metal panels.

The staff believes that the currently permitted roofing materials have a softer, more subtle appearance, which is appropriate for single-family residential areas and provide for a non-institutional, non-commercial look to a residential area.

Pursuant to Chapter 420-57 H.(2)(i), standing seam metal roofs are only allowed on buildings in Park and Recreational Districts and as architectural features in all zoning districts. Therefore, standing seam metal roofs are not even a permitted type of roof material for commercial, industrial, institutional structures, except as architectural features.

As commercial roofing material examples, upon preliminary staff discussion with Culver's, Chili's and Famous Dave's restaurants, the representatives originally proposed standing seam metal roofs for these restaurant buildings. However, given the Ordinance requirement that does not allow standing seam metal roofs as the main roof surface for commercial buildings, these buildings were constructed pursuant to the Zoning Ordinance with asphalt shingle roofs, a permitted roof surface.

With that, I'd like to continue the public hearing. I'm not sure if Peggy had gotten through all of them. She did. And if there's any other pictures that you'd like to see. This is a matter for public hearing. Is there anybody wishing to speak on this matter?

Alex Tiahnybok:

Alex Tiahnybok, 8757 Lakeshore Drive. As was stated in the write up for this request, I did request the change in the ordinance. I totally agree, the metal roofs standing seam may not be appropriate for a new development. It does add a certain degree of character. I think a lot of people would characterize metal roofs as something more of a southern nature or a waterfront nature. Carol Beach happens to be on the water. The immediate neighborhood it was acknowledged that there is a metal roof in the neighborhood. The entire area is not typical. I wouldn't classify either all of Carol Beach or the particular neighborhood where the particular project that this would affect as being typical.

The project itself doesn't lend, and this is my opinion, but I believe it's supported, doesn't lend itself to classic roofing materials besides something more of a roll type system that typically would be a roofing granule type product on top of a rolled out surface. Shingles themselves, whether they're asphalt or fiberglass or even the fine examples of metal roofing shingles, as you can see, lend themselves very well to consistently pitched roofs but not changing radius. That's why classic roofing materials aren't really a good fit.

The noise factor I believe it kind of makes sense that a metal roof would make more noise than an asphalt roof or something like that. I would personally like to see some data behind that suggesting that it would be beyond what a residential community should be able to endure. I'm actually as a result of this learning that standing seam roofs are not permitted in commercial applications. I personally believe that there's a lot of commercial development outside of Pleasant Prairie that has standing seam roofs and they seem to work very well. So at a minimum I think we should consider changing the ordinance to allow for commercial uses. I don't think should be a matter of preference, but these systems acknowledge perhaps historically have had some failures. But I happen to be in the chemical business and I've sold products that go into

paint systems that go on these metal roofs and they have outstanding warranties. They're used very regularly as I mentioned in the south, and a lot of use in Europe.

As a compromise what I would like to suggest is we look at changing the ordinance to allow these in commercial applications just to avoid a shock to a development or an existing neighborhood where it truly is not appropriate. I think the ordinance should be changed to allow this on a case-by-case basis.

Tom Terwall:

Alex, you mentioned there was a specific site that led you to get into this in the first place. Can you share with us what the location of that is?

Alex Tiahnybok:

The owner and the builder are both here, so if they care to step up I'm sure they can share that information with you.

Tom Terwall:

Thank you.

Emery Patterson:

My name is Emery Patterson. I'm with Stonehedge builders. I'm the builder for the project. It's at 12705 Lakeshore Drive down by Prairie Harbor. I have some information to share with the Board members if that's alright.

In the grand scope of things, we've investigated other roofing products that could be used on this home, and I don't feel there's anything that would perform as well or look as good as a metal roof. I've brought test data on metal roofs. The ability to handle wind loads and weather conditions that are subject to being out at Lake Michigan also would be the best product for that area. In the pictures I have a colored rendering of the house that shows metal roofs on it. I also have another picture that's numbered numbers 1 and 2 in there that shows an existing home on Lake Michigan near our project with a modified . . . roofing which is this material. It's a roll type roofing that could be used on that type of a roof. Other options are a rubber roofing which would be something similar to this.

In my estimation the existing home with the modified roofing on it, which is number 2 on my pictures, labeled number 2, that's an existing home right down there that has a modified roof on it. That's one of the . . . as Alex mentioned the paint qualities nowadays allow for at least a 50 year warranty on this type of a product against corrosion. It would be a double locked standing seam. In the back of the spec sheet that I've given you it gives you an example of what that would look like.

The modified roof I feel would be very unsightly on this home. I understand that in a residential area maybe metal roofs may not be conducive to what the Village is looking for, although very prominent villages in Illinois such as Lake Forest and Highland Park they're all over the place there and they look very good. They're considered to be actually an upper quality roof as

opposed to an asphalt or cedar shake. The only other thing that would compare to it is a slate roofing material in price.

Possibly if you don't want to change your zoning code possibly you'd consider an exception for this particular project. The nature of this home, the architectural style being a contemporary type home the metal roof is totally conducive for that architectural style.. I would ask the Board to consider if not changing the zoning code to allow it for this particular project. It's a very prominent project in your Village, and we're doing everything possible to make this home the best that it can be architecturally and quality wise.

The weather related conditions for out at Lake Michigan this would definitely be the best product out there. The rolled roofing or the modified bit type roofing or rubber roofing would not have the life expectancy of a metal roof. Our one rendering of the pictures there is the actual rendering of that house as it sits. On there you can actually see that there's not that much metal roof that would be shown from the street. That's an actual view from that home from the street. So it's not going to be a very prominent roofing material from anybody driving by. Possibly on the lake you're going to see a little bit more of it but, again, not that much.

Tom Terwall:

Thank you. Anybody else wishing to speak on this? Anybody else?

Mr. Korthase:

My name is Ragnar Korthase. I'm going to be moving into that place one of these days, 12705 Lakeshore Drive. Emery mentioned a number of things that I was going to mention so I won't be redundant. But I would appreciate that every one of you take a look at the house and the complexity of the house and, of course, also the roof design. The home was originally designed to have a standing seam roof as you can see on the rendition, and hopefully we can have some leeway here. I would certainly appreciate that.

Esthetically pleasing for this type of home I think you can see that and you would agree with that. Again, I'm the owner and I'm going to be partial to that. But I think you all have to admit that it's a nice look. I'm spending a lot of money. I think you realize that, and I think any other type of roofing would certainly devalue the price of the home which I don't want that. And I would also ask that this be considered on an individual basis. Thank you.

Tom Terwall:

Thank you. Anybody else? Anybody else? Anybody else? Hearing none, I'm going to open it up to comments and questions from Commissioners and staff.

John Braig:

First of all I am familiar with metal roofs. We had one installed about a block away from my home quite a few years ago, and I don't know how many years it lasted. Not very many. I remember talking to the owner and he says to be honest he says a salesman talked faster than I could listen which gives me a little bias on this situation.

But I also am biased to another extent. I take it seriously when a Trustee makes a recommendation or follows through on something, so I think we have to give this a fair amount of attention and consideration. The roof that's displayed right now on the wall is in my mind very typical of what we see up in the northern part of the State. The reason for it up in that area, or as I'm told because many of us have lake properties up there, is it's excellent for shedding debris. Pine needles in particular will not blow off a shingled roof or an asphalt type roof. A polished metal surface gives it a nice slide to get rid of it. Likewise, in the northern part of the State we generally have more snow, and that makes an excellent slide for the snow to slide right off of the roof. Those were always given as the two best reasons for having a metal roof, neither of which I think applies here.

I will say noise is a factor. The roof that I mentioned that was a block away starting in August and lasting almost to mid October whenever the wind blew you could hear the acorns rattling on the roof something fierce. I don't know. I'm waiting to hear more on this.

One final comment. If I'm not mistaken the staff indicated that it is within their purview to grant approvals under certain circumstances which makes me wonder is a change in the ordinance really necessary? With that I'll listen to the rest of you guys.

Tom Terwall:

Before I turn it over let me just tell you that if you haven't been down to look at this house you should go look. This picture does not do it justice. It is very, very unique. I was really impressed. I've been down there several times. I went down there the last time after I knew this issue was coming before us to picture in my mind how a standing seam metal roof would look on there, and I have to say that very few neighbors would even be able to see the roof unless they start living on the lake. I think you're going to be able to see from the east side, but from the west and from the south visibility of the roof itself is going to be very, very minimal. So that I think led me to give serious consideration to doing this on an exception basis. I don't like the looks of, for example, I think we'd be making a mistake if we opened it up and said you could do that in a subdivision.

John Braig:

I call that a barn roof that we're looking at right now.

Tom Terwall:

And I guess we'd have a whole lot of people in here saying what the hell were you guys thinking when you approved that because that wasn't allowed when I built my house right down the street or right next door. So I guess I'd be opposed to changing the ordinance for the single family situation, but I would not be opposed to granting a variance for this house because of its unique shape and its unique location. I wouldn't have a problem with that at all.

John Braig:

Would we consider that granting a variance?

Tom Terwall:

I think Jean already had that before.

John Braig:

Or indicate that the Commission encourages the staff to permit this one?

Tom Terwall:

That's what we'd have to do because we can't grant variances?

Larry Zarletti:

This is a great example of needing to be flexible. I work in a place where past practice can sometimes come back to haunt you. I don't, however, see that if we're reasonable with this that it would come back to haunt us. I don't see people knocking down doors to put up metal roofs. I am not in favor of changing the ordinance. I would be in favor of sending it back to the staff, and if they so choose to give a variance on this. I think, again, it goes to the first word I said and that is flexibility.

Wayne Koessl:

I agree, Mr. Chairman. I think at times we have to be a little innovative and try something that is new. I would not like to see the ordinance changed, but I think we ought to look at an exception at this time for this home. One question, and I don't know who in the audiences should answer, but do you have to put light . . . and ground rods on the metal roof?

--:

Yes, that will be put on.

Wayne Koessl:

I would think it had to be.

Don Hackbarth:

We have a pole barn on our property and it has a metal roof. When it hails you do not want to be in that building because you will come out deaf. I take it the understanding here is that a metal roof will last 50 years? It lasts longer than a shingle roof? Is that the advantage of it and then shedding stuff and whatever like that?

Tom Terwall:

And also because of the limited pitch. You almost need a 4:12 to have a regular roof.

Don Hackbarth:

The only caution I would say in a situation like this is, and yes it's a beautiful building, but we don't design something that's going to automatically bump up against our ordinances either. Maybe just looking in retrospect maybe it could have been designed a little bit different to

eliminate this situation right now. So even though it's a beautiful building and all that stuff, I haven't seen it, but we have to be careful that we don't get ourselves into a slippery rope or a slippery metal roof or whatever you want to call it where somebody will design a really gorgeous building and then all of a sudden come to us and say you've got to make an exception because this is a multi million dollar building and because of a design feature we have to lower our standard to say okay let's put it up. We've got to be careful with that.

Jim Bandura:

I kind of agree with Commissioner Hackbarth. I don't want to change the ordinance, and to do this on a case-by-case basis, like Don says, they can come up here and design it to reflect and asphalt roof or whatever. I just don't want to change the ordinance because of this. We're going to try and figure out us granting a variance is my question is we can't do it.

Tom Terwall:

She can.

Jim Bandura:

Jean can or the staff can. In other words, you can say this fits in with the design and there would be no other procedure for him to go through, correct?

Jean Werbie:

Correct.

John Braig:

I think we all agree on this thing. I can see a kind of exception which the staff would be more than happy to make. I've got two in mind. One is a church in Middleton, Wisconsin. It has a roof structure that's somewhere between a hoop or an arch and a hyperbolic paraboloid. It is solid copper sheeting of standing seams, and the other one is Josaphat's Basilica in Milwaukee. That's a monstrous metal roof, copper. The third one comes to mind, there's one of the newer bank buildings down on Wisconsin Avenue in Milwaukee that has--I remember looking out my window watching them put it in. It was the shiniest bright copper and it's slowly going to turn into that beautiful green patina. If somebody wants to put that on a quality structure I don't think staff would have a problem with it.

Wayne Koessl:

Mr. Chairman, I'm going to make a motion to deny the zoning text amendment. If that passes or is turned down I would like to make another motion after that.

Larry Zarletti:

I'll second that.

Tom Terwall:

MOTION BY WAYNE KOESSL AND A SECOND BY LARRY ZARLETTI TO SEND A RECOMMENDATION TO THE VILLAGE BOARD TO DENY THE ZONING TEXT AMENDMENT. COMMENTS?

Mike Pollocoff:

Just on the question. Staff indicated that we didn't support a change to the ordinance or recommended the change to the ordinance. If you think back to the work that the Commission did and the staff identified some architectural standards that would be enduring for residential areas as well as commercial, and this is one of the areas that we identified that we as a community didn't want to see in a residential area. I think some of the trepidation that Jean had in pushing this through a process where it would be appealing her decisions to the Board of Appeals is, one of the criteria on a Board of Appeals petition has to be is there a hardship and did the person create their own hardship. In this case the individual had a home designed, and it's a beautiful home, but the design of the home didn't meet what was required by the ordinances, so we'd be placed in a position where was the hardship self-induced or created? Yeah, it was, because the design didn't allow for the pitch. They ultimately would be going through a protracted process of a quasi judicial hearing and probably not being able to succeed to meet the requirements for a variance.

As far as the staff, Jean has taken a fairly strict standard or she's taken the Commission to heart as far as staying away from standing seam metal roofs, and that's why she recommended denial on it. Although my understanding is they haven't submitted an approval or a design that would indicate where they were on that. I think it was more of a request. So if the Commission follows through on Commissioner's Koessler's motion to reject and then subsequently brings it back for recommending that staff re-review the building plans to see how that would follow we'd be, of course, willing to do that. I think that might be getting more information in the planner's hands to evaluate this specific proposal as good. The staff strongly recommends that unless we really want to get into a full scale rewrite of expanding standing seam metal roofs to residential areas or commercial, I think that's contrary to where we've been in the past.

Tom Terwall:

But my understanding of the existing ordinance is that Jean would have the authority to do that without having to go to the Board of Appeals, correct?

Mike Pollocoff:

She does but the language is such that if it's not in there with exception then she's to interpret that as it's not allowed.

Tom Terwall:

I don't think it's our recommendation that this necessarily go to the Board of Appeals. If Jean as the authority as she did in the Sandretto case to approve this, I think that's the recommendation of the Plan Commission.

Mike Pollocoff:

I just wanted to say I think that to run this through the Board of Appeals will set it up for failure.

Tom Terwall:

With that, is there anything further? With that, all in favor of Wayne's motion signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? We got one through unanimously.

Jean Werbie:

So you're denying it but referring it back for me to sit down with the property owner and the builder one more time?

Tom Terwall:

Exactly. And it's our recommendation that in this specific case with this specific set of circumstances that the Plan Commission does not oppose a standing seam metal roof in this case.

Wayne Koessl:

Thank you, Mr. Chairman. That was going to be my next motion.

John Braig:

Was the proposed roof to be a standard--do we need a motion to that effect, Jean?

Larry Zarletti:

We really can't make a motion, can we?

Mike Pollocoff:

No.

John Braig:

Just a clarification. Is the proposed roof a standing seam roof?

Jean Werbie:

Yes.

John Braig:

I mean we saw illustrations of many different types.

Tom Terwall:

A standing seam metal roof is what you're proposing for this house, correct?

Emery Patterson:

Yes.

Tom Terwall:

As shown in this picture?

Emery Patterson:

In a color conducive to that rendering. Nothing died red.

Tom Terwall:

You need to give us your name and address again just for record.

Emery Patterson:

Emery Patterson, Stonehedge Builders, 11975 24th Court. I asked the Village and Jean to please consider this on the basis of I'm also building homes in Tobin Woods Subdivision. I'm from Illinois. I've come up to this area to build beautiful homes in your Village. I have five homes that are all over \$1 million going in Tobin Woods. Tobin Woods has sat there in excess of eight years. I came in there and I took hold of that project. This home that's on the lake is in excess of \$2.5 million. I would ask the Village to consider the architectural style that we're coming into the Village with and understand that change does need to happen here a little bit. I would ask for a little bit of leeway. We're doing beautiful French country designed homes in Tobin Woods, and it's a style that we're trying to bring to this Village. I think it enhances the Village and what's going on up here. The home on the lake is a contemporary home. The metal roof is totally conducive for that type of home. I have no other options for any roofing material that would not devalue this home or that would even come close to looking good on this home. So I'd ask Jean and the Village--I thank the Board members for their grant on it. So thank you.

Alex Tiahnybok:

Alex Tiahnybok, 8757 Lakeshore Drive. So the understanding then is that the builder will set an appointment with Jean to sit down and talk about the specific building material, review the facts again and make a recommendation based on your guidance?

Tom Terwall:

Correct.

Alex Tiahnybok:

Thank you.

- E. Consider for the request of Kurt Meeske, agent for Prime Outlets at Pleasant Prairie, LLC, for Final Site and Operational Plan approval for the two (2) Phase V Prime Outlets retail buildings of approximately 59,267 square feet (Building A) and 94,311 square feet (Building B) and for a total of 153,578 square feet of retail space on approximately 12 acres located at 11601 108th Street.**

Jean Werbie:

Members of the Plan Commission, this is a request of Kurt Meeske, agent for Prime Outlets at Pleasant Prairie, LLC, for Final Site and Operational Plan approval for the two Phase V Prime Outlets retail buildings of approximately 59,267 square feet, which is Building A, and 94,311 square feet, which is Building B, and for a total of 153,578 square feet of retail space on approximately 12 acres located at 11601 108th Street which is further identified as Tax Parcel Numbers 92-4-122-302-0108 and 92-4-122-302-0126.

Background Information:

- < Prime Outlets Phase V General Information - Prime Outlets is continuing to acquire the proper Village approvals for the expansion of the regional retail center, known as Phase V. The Phase V expansion plan proposes to enlarge the current facility by constructing two new leaseable retail spaces totaling 153,578 square feet on approximately 12 acres. Additionally, Phase V proposes the construction of a third approximate 11,000 to 20,000 square foot center court facility building which would consist of lounge areas, food tenants, restrooms, information center, merchant kiosks and related services, known as the Lodge. Finally, in association with the Phase V Master Conceptual Plans, a separate 5,000 square foot restaurant/retail outlot/pad is located at the 108th Street, 116th Avenue and Corporate Drive intersection.
- < Prime Outlets at Pleasant Prairie PUD Signage - On September 16, 2002, the Village Board approved Ordinance #02-71, which is the existing Prime Outlets at Pleasant Prairie PUD Ordinance. This Ordinance generally pertains to signage regulations for Prime Phase I-IV. Ordinance #02-71 now pertains also to Phase V.

At the request of Kurt Meeske, Vice President of Development and Construction for Prime Outlets, the Plan Commission, Village Board and Village staff took the following Phase V related actions:

- a. Village Comprehensive Land Use Plan Map Amendment – Plan Commission approved on May 23, 2005.
- b. Preliminary Site and Operational Plan - Plan Commission conditionally approved on May 23, 2005 to allow mass grading of the Phase V properties.
- c. Master Conceptual Plan - Village Board conditionally approved on June 6, 2005.

- d. Zoning Map Amendment - Village Board approved on June 6, 2005, to rezone from B-5 to B-3 (UHO).
- e. Agreement - Village Board approved on June 6, 2005, between the Village and Prime Outlets generally pertaining to municipal water connection/fire suppression system issues, security issues, construction timing and guarantees, letters of credit. The Agreement was finalized and executed by Prime and Village officials on November 7, 2005.
- f. Zoning Map Amendment - Village Board approved on July 5, 2005, to rezone from B-3 (UHO), to the B-3 (PUD).
- g. Zoning Text Amendment (PUD) - Village Board approved on July 5, 2005, Prime Outlets at Pleasant Prairie PUD No. 2 Ordinance.
- h. Erosion Control Permit – Village Staff conditionally approved on July 20, 2005.
- i. Street Vacation - Village Board approved on August 1, 2005, to vacate a portion of 110th Street, west of 116th Avenue.
- j. Preliminary Site and Operational Plans and Permit for the Underground Utilities - Plan Commission conditionally approved on August 22, 2005.
- k. Preliminary Site & Operational Plans and Permit for Early Footings & Foundations– On October 11, 2005 which conditionally approved the installation of the footings and foundations for Retail Buildings A & B.
- l. Preliminary Site and Operational Plan for the construction of rear and side masonry walls Retail Buildings A & B, building structural steel Retail Buildings A & B, parking lot paving, curb & gutter, underground electric lines and other associated improvements - On November 7, 2005, the Plan Commission conditionally approved the Site and Operational Plans.

Final Site and Operational Plans for Retail Buildings A and B.

In continuing with the approval process, Prime is seeking Site and Operational Plan approval in stages, with the project essentially taking two separate construction tracks; the initial construction track is for the two retail buildings, Building A and Building B. The Lodge building will follow as a subsequent construction track. Pursuant to Prime representatives, applications for The Lodge building will lag approximately 60 days behind Buildings A and B.

The previous Prime Phase V approvals of the Master Conceptual Plan and the Prime Outlets at Pleasant Prairie PUD No. 2 have given the Plan Commission the opportunity to review and approve many of the physical aspects of the mall expansion, such as building and parking lot locations, sizes and setbacks; number of parking spaces; proposed building cut-through locations, overall site configuration, site access, etc.

However, with this Final Site and Operational Plan review, materials are Exhibits 1, 2 and 3, the Plan Commission and Village staff has the opportunity to review the aesthetic aspects of the

Phase V expansion, more specifically the building front elevations and landscaping, screening and buffering.

General Site Development Information

The development site for the two Phase V retail buildings is located on Tax Parcel Numbers as referenced. Buildings A and B will total approximately 150,000 square feet of new retail space.

Similar to Phases I-IV, the two Phase V retail buildings will be single-story structures and will incorporate some similar colors, materials, architectural style and theme. However, three building corner architectural elements are proposed to be added; two to the northern corners of the Phase V retail buildings and one at the southern corner of retail Building B, near the future Lodge building. These new elements will be constructed of stone, EIFS, glass and wood. These retail building corner features will be approximately 40 feet in height.

To break up and help soften the proposed straight, in-line front facades of Retail Buildings A and B, Prime has designed the fronts of the buildings to incorporate similar architectural articulation, portals or jogs in the building façades, as the existing Phase I-IV buildings. As Prime notes, the exact location and number of these portal features is being refined as the expansion project and future tenants' needs evolve. Additionally, the architectural design of the fronts will continue to be aesthetically upgraded and updated in the center. With the future center court building, which is the Lodge, designed to be the dominant feature of the Prime Outlets center, the elements that will add continuity, while being sensitive to the existing Phases, are as follows:

1. The addition of the three corner towers that contain the stone and other materials that are also proposed for the Lodge.
2. The continued use of the portal features.
3. The addition of pediments on the typical in-line sign band of Retail Buildings A and B. The pediments will visually break-up the parapet lines and add architectural interest. The exhibits currently show four possible variations of the pediment features. The final locations and quantity of the pediments will continue to be refined as the project and the future tenant's needs and desires evolve.

The basic layout of the parking lot landscaping islands was previously approved. The landscaping review that remains is the actual number, species and perimeter site landscaping locations. One of the main concerns of the Phase V development was to ensure that the rear of Building B, along with the proposed dumpster locations, as viewed from 116th Avenue, was sufficiently screened. To accommodate this rear building and dumpster screening concern, the 116th Avenue frontage is proposed to be landscaped with a combination of deciduous and evergreen trees and plantings. For screening and buffering purposes, a total of 47 evergreen trees that are six to eight feet in height, along with 33 deciduous trees, including the required street trees, are proposed along 116th Avenue to the northern end of Retail Building B.

Pursuant to Chapter 395-79 of the Land Division Ordinance, Prime shall install the required street trees of an approved species within the total length of the 108th Street and 116th Avenue rights-of-way at 50 foot intervals. Prime has noted that due to visibility issues essentially restricted vehicular visibility for the southbound on 120th Avenue between STH 165 and 108th Street, the

Landscape Plan has omitted the Phase V street trees along 108th Street and along the northern segment of 116th Avenue. The staff believes that Phase V of Prime will have ample visibility from southbound 120th Avenue traffic even with the required street trees planted in the required locations. Moreover, mall patrons intending to visit Phases I-IV will undoubtedly view Phase V, as customers will drive directly adjacent to Phase V. In conclusion, the Village staff is requiring that all of the necessary street trees be planted in both the 108th and the 116th Avenue rights-of-way in accordance with the 50 foot intervals. The Landscape Plan shall be amended.

To improve the screening of the trash/recycling container areas, the proposed dumpster location cut-outs we had initially recommended that there possibly some need for some type of wall screening in addition to all the landscaping. In our conversation with Prime this afternoon, we would like to reserve the opportunity to not require those additional enclosures at this time but rather to wait until all these additional plantings and screenings and the small berm have been planted which we hope will be in May and June of this year, and then take a look at where the dumpster locations are. If they cannot be seen by the adjacent roadway and by the adjacent public, then we would not require those additional enclosures to be installed. So that's a slight variation.

The Village staff recommends approval of the final site and operational plans for the two phases subject to the comments and conditions. One other issue that has come up since last week Monday is that the letter of credit that was provided is in a somewhat different format than the Village is accustomed to. I've spoken with Prime representatives today, both this afternoon and late this afternoon, and they are going to be getting the letter of credit back to us in the format that we had originally asked for. It does cover us for what we need, but we would like to have them make those modifications per our Village Attorney's recommendation, and we'll exchange out that letter of credit over the next period of time when they can get that to us.

Tom Terwall:

Thank you. Comments or questions?

John Braig:

Question. Illustration of Building B, the left elevation, shows Crate & Barrel X'd out. By that I'm inferring that there will be a building on that site but it is not a part of this? Clarification?

Jean Werbie:

Kurt, I can explain but why don't you.

Kurt Meeske:

My name is Kurt Meeske, Vice President, Prime Retail Development and Construction. Address is 11211 120th Avenue, Pleasant Prairie. That's on there for demonstration purposes and discussion with staff. One of the tenant retailers that we have been in discussion with has a unique requirement in their leasehold obligations that may involve some additional aesthetic changes that may in the future be brought to staff for review and comment, and this is just indicating the area that this potentially could happen. So it's just an item for discussion.

John Braig:

So as we're looking at that drawing we may see some changes there? There will be a building but not necessarily what we see on that illustration?

Kurt Meeske:

We're not asking for any flexibility beyond what we're proposing at this point in time. It's just that there is a situation in the works that something may come before us. Some retailers have some unique requirements that even we can't—

John Braig:

I do appreciate being aware of it at this time though. Thank you.

Don Hackbarth:

(Inaudible) . . . and the breakup on the second line . . . they were just absolutely gorgeous. I think what you're doing here is . . . the other comment I have . . .

Mike Pollocoff:

Basically it's what we have put in the agreement, what was identified before the Village Board and the Plan Commission concerning the contributions to the Village for the security camera system and the modifications.

Don Hackbarth:

I move to approve.

Larry Zarletti:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY LARRY ZARLETTI TO APPROVE. ANY FURTHER COMMENTS OR QUESTIONS? ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

F. Consider Village written response to the draft STH 165 Corridor Study.

Jean Werbie:

Members of the Plan Commission, the Village staff has had an opportunity now to sit down and review the State Trunk Highway 165 draft corridor plan that was presented to the Village Community on October 19th by the Wisconsin Department of Transportation and their consultants. The DOT has received back somewhere between 65 and 85 written comments and calls regarding this project, some which were very supportive but many that were very concerned about the project as it was presented. Not so much of the fact that the highway needs to be widened or improved, but the extent by which they have made these recommendations.

They have asked for the Village to respond back in writing to them with comments and concerns and very detailed comments and concerns with respect to these plans that were presented to us. Their plan is once they have comments presented back from the Village that they will review these, digest them, and then they will be requesting a meeting before Village officials sometime in January or early February so that they can put together an alternative plan which they intend to bring back to the community for our review sometime in either late February or early March, and that would be identified as the second PIM or the second public informational meeting.

I am not going to read through every single one of the staff comments which is 64 different comments. The more general of the comments are probably in the first five or six so I'll just read those for the record. My staff comments are available. These were prepared after consultation with my planning staff, as well as Mike Pollocoff the Village Administrator and Bob Martin who is our Village Engineer, as well as the comments that I have heard from various Plan Commission and Board members that did talk to us regarding this project.

Again, the purpose of my staff memo is to collect the Village comments in response to the draft 165 corridor study presented at the first PIM by the Wisconsin DOT. The comments set forth are not in priority order. The comments address the community's overall concerns for the widening of State Highway 165 corridor and recommends corrections and changes to be made to the Wisconsin DOT preferred alternative corridor maps.

According to Vida Schaffer, she's the project manager for the corridor study, the Wisconsin DOT upon the review of the resident's/business owner's comments and the Village's comments, will evaluate the community's concerns and will begin preparing another alternative corridor plan to be presented at the second PIM.

Under staff comments: The right of way width for Highway 165 is excessively wide both east of 39th Avenue and west of 39th Avenue. The Village questions whether the projected traffic counts to 2030 according to the Wisconsin standards do not justify the project as shown west of 39th Avenue with a four lane divided highway with a very large boulevard. In fact, it appears that the cross-section would be greater than that of Highway 31 which conveys substantially more vehicular and truck traffic. While the Village realizes the potential for growth and increased traffic volumes along 165, the proposed roadway widening projected in the next 10 to 15 years must minimize the impact and relocation on the existing residential land uses within our corridor. The Village recommends that a narrower, four lane urban profile with storm sewer be considered with possibly a ten foot wide bike lane adjacent to the north lanes of 165. What's on the slide for you now are the cross-sections as proposed by the Wisconsin DOT that were proposed on that October 19th.

Secondly, consideration shall be given to designing 165 at a lower design speed, possibly 40 or 45 miles per hour, thereby eliminating or significantly decreasing the median width and the right of way that needs to be acquired. In the future, two commercial developments are being proposed within the 165 corridor; however, the remainder of the corridor is essentially residential development. It would not justify excessive widening or higher speed limits.

Future access restrictions and driveway locations and relocations shall also be labeled on the maps unless a separate access plan or functional plan is being provided as an exhibit. The corridor plan and access plan need to work together to implement a future widening of this highway.

Early in the planning process the Village and the Wisconsin DOT staff had agreed that the corridor maps would be superimposed on aerial or ortho photographs in order for the Village officials and the residents to more clearly understand the impact of the widening of the highway on their property. My concern is that they are still going to present that type of illustration or exhibit to us so it can be more clearly understood.

There are Village concerns regarding the vertical alignment of 165 and its impact on traffic visibility and the need to improve sight distances on 165. Our concern is when is the vertical alignment issue going to be examined or at a minimum identify a red flag as part of this corridor.

At what point do the existing storm water drainage concerns or problems that were identified by the residents along 165 going to be addressed? There are some existing problems along the corridor at various locations, especially east of 39th Avenue, which need to be discussed or at least red flagged as part of this process.

According to the draft plan, the Wisconsin DOT is proposing to acquire the homes on the south side of 165 between Old and New Green Bay Roads. Consideration shall be given to acquiring the right way to create either a full signalized intersection at 165 and Old Green Bay Road or a roundabout at this location. I know this is the first that you've heard of the roundabout, however there are some plans that the staff has been working on and will be presented to the Plan Commission and the Board at subsequent meetings that discuss the possibility of installing it.

The corridor study was to include and needs to include the areas north and south of Highway 31 north to 102nd Street, which is Jelly Belly Lane, and south to 108th Street. The Village staff has had several conversations with the Wisconsin DOT staff and a traffic impact analysis has been previously submitted which addresses the need for a public roadway intersection at 108th Street. The open median and 108th Street currently exists on the west side of 31.

The corridor study depicts a widening of the west side of Highway 31 just north of 165. This proposal encroaches into and takes land from the recently construction, in the year 2000, Jelly Belly Lane adjacent to the Jelly Belly Company. This is a problem and needs to be further discussed. This matter needs to be studied more thoroughly by all parties and changes included and reflected in the corridor plan.

All parties need to further examine the impact of the closing of the 72nd Avenue median in 165 and what impact that might have on Jelly Belly as well as Nitto-Americas and the daycare.

The corridor study depicts a full intersection at 165 and Springbrook Road. This intersection warrants further study to determine whether or not it needs to be shifted to the east slightly.

There's actually some meetings that are going to be scheduled in December with the developer of the Town Center as to if this can shift slightly to the east.

Consideration shall be given to a narrower roadway profile and reduced median between Old Green Bay Road and 65th Avenue. Actually that's a similar comment that carries throughout this entire corridor. The median seems excessively wide. It's questionable whether or not we need to have that type of median or if we want to create this wide of a super highway that is an east/west corridor running through the Village.

Many of the rest of the comments do pertain to some problems with respect to the legend, with respect to future roadways, with respect to some new construction that has occurred within the corridor that was not carefully reflected. Another main concern the planning staff has is that because it's shown in an illustration like this the wetlands and floodplains and any type of environmental features are not accurately, or I should say are not even shown on the maps, and that's very important. Only one location on the very east end of the corridor the secondary corridor is labeled, but nowhere else are there any other environmental limitations, and we would like to see what impact the corridor has on floodplains, wetlands, woodlands and other environmental features in the Village.

Some other big concerns we have is that a large amount of right of way would greatly impact the new Village Green Heights development and the large berm that was recently constructed, not to mention some other brand new homes that were just constructed along the corridor, so we do have some concerns with respect to those things. We do want them to reconsider and relook at the segment in particular between Springbrook Road and 39th Avenue, and 39th Avenue and 165 is becoming a major intersection for the Village. When Village Green takes off it will be, and so they have not really examined how 39th Avenue with respect to its widening or signalization will affect 165 and how far back and the vertical alignments. So we really think that those are two target areas, both on the east end and the west end, that they need to take this corridor plan further north and south. That's actually what we had discussed. It doesn't look like it would have fit on their exhibit, but that's actually what we had talked about is bringing that study a little bit further from those intersections because it will have a substantial impact at those locations.

The cross-section that is shown on the slides at this time for you is a typical Village cross-section within an 80 foot wide right of way. It does not show a median, but it's a typical cross-section where you can get two travel lanes with two auxiliary lanes, or four travel lanes that could adequately handle the traffic on 165. So this is one example that we thought could work in this particular area.

Don Hackbarth:

What's 80 foot here? The numbers are so small. Where does the 80 foot go, from where to where?

Jean Werbie:

Edge of right of way to edge of right of way.

Don Hackbarth:

That's a lot smarter.

Jean Werbie:

This actually shows all the other things we have within the right of way, utility locations, signage, street trees and lights and things like that. There's also a possibility, Mike had pointed out, that within the Village Green development itself, which is Main Street and runs east/west parallel to Highway 50, that's a 100 foot wide right of way. Not 150, but 100 foot wide right of way, and that has the same things with the two lanes or the four lanes, but it has a median down the center of it to allow for the queuing and turning of traffic. So I guess from the staff's perspective, and we will be meeting with the DOT, we would like them to consider something between an 80 and 100 foot wide right of way as opposed to the 150 that's currently shown.

Don Hackbarth:

Can I ask you a quick question here? Where would the bike path be on this? Would it be on the other side of the trees or in the roadway?

Jean Werbie:

Mike needs to address that. There's a couple things that are going on with respect to the bike lane. We have had a lot of internal discussions as to where the bike lane or bike trail should be traveling east/west through the Village and how it should be constructed. So we've had some discussion in our

Mike Pollocoff:

. . . where the bike paths go, and typically we've looked at those being along roadways, but they get to be a little problematic when you're along a State highway and you've got a lot of driveway access points onto that highway. So if you're a biker and you're going down that bike path you've got to cross a dozen driveways in addition to keeping an eye on what's going on in the road. If we do come up with a bike path, which we think we're going to have a really nice one as part of that park plan, I think we need to take a look at that before we commit to this one here.

One of the things that, and I think it's really more a strategy in dealing with this, and I guess the *Kenosha News* isn't here so I'll be a little freer about talking about it—

John Braig:

They'll still print a full article.

Mike Pollocoff:

I'm sure word will get back to them one way or another. The State presented or gave the Village the full bore of road kind of like what we have on Highway 31. Highway 31 connects Illinois to Wisconsin. It's a major, major thoroughfare. This is a significant thoroughfare, but this road doesn't carry as much traffic as 85th Street. And I believe that had the Village not--the Plan Commission and the Board both have allowed the staff the latitude and they've wanted as thorough and comprehensive land use planning and traffic studies as possible. And the Village is

in a position to have a lot better handle on this than the State does. The State gave you the full boat. They know that this road will handle anything that comes up.

But the only problem is under the funding scenario we're going to pay 25 percent of whatever comes up and we're going to be paying a premium for taking a guess for maximum insurance on this thing being big enough. Bob our Engineer and Jean have worked this corridor closely and we've come up with--again, given what this Plan Commission will typically approve as far as densities with our land use planning, we don't come up with anything nearly as wide as this.

If we want to take the approach that we want this road to be a conduit to bring vehicles and trucks into the City of Kenosha in addition to what it's going to take to service our own community, that's two different strategies to look at it. I don't want to see us in a position where we're going to say no to the State on everything up front because we need to be in a position to negotiate with them to get them to pay for part of this. 75 percent of it is what we'd like to see. And I think ideally from the Village's standpoint the best thing for the taxpayers is going to be some level of identifying what we would accept as a maximum road. And I think the profile that Jean put up there, there's a lot of State highways that match that profile.

Don Hackbarth:

Can we get a copy of that?

Mike Pollocoff:

Sure. It's right in our ordinance. That's 85th Street. I think to get that constructed it would service--part of it we feel that two lanes with a turning lane, especially between Highway 32 and 39th will accommodate that profile. But I don't think the Village should be saying no way and not enter into discussions with the State because we'll end up where we did on 85th Street where we do have a section of road that's not done and that isn't helping anybody. Eventually those people end up paying for it themselves on a front foot basis because the State money is gone. Here if we can get this thing done and not have the existing taxpayers pay for it, have new development come on with impact fees to pay specifically for that 25 percent, hopefully everybody wins. We get a road that's manageable for everybody, that we're not paying an excessive amount for overdesigning a road, and the new development can pay for the impact that they're going to have on the roadway as they develop. The staff's recommendation is we look to the profile we had up there and not this one.

Wayne Koessl:

I have reviewed this and I think the comments are well justified. I only have one comment on Item 36. How are you ever going to put more traffic on Cooper Road south of Highway 50? That's five blocks from Highway 50 to 80th Street that's a hellish place now. That needed traffic signals years ago and they never come about. And also on number 61 I think the Timber Ridge Mobile Home park is west of 32 and not east of 32.

Jean Werbie:

Correct.

John Braig:

If there's no further comments, I would move--

Don Hackbarth:

I have some comments. First of all, looking at this thing and looking at the errors on that thing, you've got to sit there and say--I know an engineer did it or designer or architect or whoever it was or road engineer, but I don't know how they can even present something like that with all these errors. Missing buildings and missing things along the right of way and stuff like that. I used to be an assistant chief engineer in a plant in Milwaukee and there's no way I could send something like that out. I would jump all over them. They wouldn't have a job. So I don't know. With all these comments here picking out where they made mistakes and errors in what they presented, that's a poor rendition even though it's too wide.

I've got a couple of comments here. You know I've talked to Vida Schaffer. I've written her letters, but the access point is a very big issue. That's a real big issue. That's not shown on there. I talked to her that night and I said just taking the church as an example, the church has two access points. It's got one on 165 and it's got one on ML or Springbrook. I said being a church and being a residence, the residents basically use 165 but the church does, too, and we've got a school there. I said to her we really need those two access points because when school buses go through there the turnaround--it's going to make it very dangerous for kids to have one access point.

Also, with that size property if there's a fire on there and you tell the police department or the fire department to go whatever direction, it's just inhibiting the flow for any kind of emergency or any kind of flow through that property. I asked her what they propose to do with that and she just didn't know. She says we don't know. She said we don't know what we're going to do with access points yet. So that kind of bothered me.

I have a question. Can you explain what a roundabout is? It sounds like a square dance or something like that. Just very briefly what's a roundabout.

Jean Werbie:

The Village Engineer is here and I'd like to have him explain it.

Larry Zarletti:

And don't tell us in a roundabout way. Just get right to it.

Bob Martin:

I've had limited exposure to roundabouts, but there was a presentation probably about a month ago, and I think it would probably serve everyone justice to see that similar presentation because there's a lot of misconceptions about the older roundabouts in particular where they're just a circle and people just go around and get off where they want. That's the long and the short of a roundabout. But there are significant design differences between the old and the new and that's what we saw. I think the number of collision points at an intersection are 32 and in a roundabout they're four. So they have a significant impact on at least the severity of accidents and the number of accidents is what's been shown statistically. They facilitate traffic in a quicker mode

because you don't have to wait such as at a signal or stop signs so they really facilitate traffic. But until I'd seen the presentation I didn't have probably good feelings about them to begin with, but it was more out of not knowing a lot about them.

Don Hackbarth:

Bob, does it work on the idea that there's a central island and you're moving around it?

Bob Martin:

Yes, it's basically circle. There's one up on 6th in Milwaukee. We had gone up there two or three weeks ago I believe and looked at that one. There wasn't a lot of traffic so we didn't get a good feel, but you maneuver. My fears would be there would be, and no offense to ladies, but you see a lady on a cell phone going around a roundabout and I have that image, and that would be true for anyone for that matter.

John Braig:

As an example of this intersection that we're talking about, what would be the approximate diameter of the circle? Are we talking hundreds or thousand feet?

Bob Martin:

No. As a matter of fact we're talking the newer ones are smaller. The older ones that are problematic used to have larger diameters, and those became more problematic because it was the same kind of access points where you had high speed traffic. So what you're trying to do is have a smaller configuration where it really does slow the traffic down to get into the queue so to speak.

Jean Werbie:

Just as a matter of information and as an educational piece, what we'd like to do as a staff is bring the consultants to a Plan Commission meeting. Hopefully the Board members can be here, too, and they can view the same thing that we did. They will make a PowerPoint presentation and they have video just to educate us on what they are and how they function as traffic intersections. As opposed to being a signalized intersection it's a roundabout intersection. I don't know if Pleasant Prairie is ready for anything like that yet, but the development that you're going to be seeing soon they are showing one at the entrance of their development. It's not a major highway, but they will be showing one at their entrance. And so sometime probably within the next 30 or 60 days I will ask them to come down and just make the presentation to educate us.

Don Hackbarth:

How would that work with trucks or semis?

Jean Werbie:

It works just fine.

Don Hackbarth:

I have a couple other quick comments here.

Jean Werbie:

Fire engines, too.

Tom Terwall:

One comment. On the issue of roundabouts, if you have never seen the movie European vacation you should see that. Chevy Chase spent six hours in the roundabout trying to get out.

Jean Werbie:

Those are the bad roundabouts.

Don Hackbarth:

I've got another comments. In regard to the bike trail or the bike pathway, the way it's proposed on the drawing here it goes out to Highway 31. One of my comments to Vida Schaffer was I don't know if that's a good idea because then it dumps off on Highway 31 and where do you go from there? You can't just take bikes and dump them off on Highway 31 or whatever. It's a dangerous proposition. I'm just saying there's got to be some kind of thought about what you do with them at the end of 31.

I like comment number 9 where we're conscientious about Jelly Belly. I also think that the treatment that we're giving Jelly Belly about taking their land, and I know we are, we're sensitive to the property owners all the way along, residents too. They're going to lose the property, too.

Number 11, the shift going east a little bit, what are we talking about going east? How many feet or whatever?

Jean Werbie:

I'll explain it to you. Right now they show the intersection of the north/south ML and Highway 165 onto the Village Green Sagewood project into the retention basin that was just completed. So what we're recommending is that they shift that a little bit to the east. Mrs. Oblin doesn't live in this white house any longer and she had indicated she would like to sell. The developer is very interested in purchasing it, but we'd like to see if we can shift it off of the Village Green and then shift it further into that property yet still avoiding any environmental features. Not bring it all the way over to the intersection but just kind of make a little shift. Maybe we can avoid hitting some of these homes that are far to the west side of ML and 165, but just shifting it over. Her home she anticipates to be razed at some point in the future anyway. So it would impact the other properties less and not impact the church.

Don Hackbarth:

That's pretty much what I wanted to say. Comment number 55, is the reason they shifted near Sheridan Road, shifted to the south and took all those properties because of the Indian architectural or--is that what is it?

Jean Werbie:

Yes. There was the cemetery, the pre-1848 cemetery that they have identified only through a phase 1 environmental. A phase 2 environmental would need to be done, further research and analysis, and maybe some very detailed work would need to be done to find out exactly if there are any remnants or archives or anything that is there on the site. Then there's a second cemetery or burial that they have found further to the east, and to avoid those from a federal and State perspective is the way to go unless it can be determined precisely that there are no artifacts or anything there.

Don Hackbarth:

I appreciate the work with all the comments here.

Tom Terwall:

They haven't suggested that we move the water tower yet at 165 and Sheridan Road?

Mike Pollocoff:

Not yet.

Tom Terwall:

That's okay where it is?

Mike Pollocoff:

Well, they're going to give it a second look.

John Braig:

I move that the record show that the Plan Commission fully supports and endorses the Village staff report.

Jim Bandura:

I second it and I sure hope the Department of Transportation listens.

Tom Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY JIM BANDURA TO RECEIVE AND FILE THE REPORT OF STAFF WITH THE NOTIFICATION TO THE STATE THAT THE PLAN COMMISSION FULLY SUPPORTS STAFF'S COMMENTS. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. ADJOURN.

Larry Zarletti:

Motion to adjourn.

John Braig:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.