

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
May 22, 2006**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on May 22 2006. Those in attendance were Thomas Terwall; Michael Serpe; Wayne Koessl; Donald Hackbarth; Jim Bandura; John Braig; Larry Zarletti; and Judy Juliana. Also in attendance were Michael Pollocoff-Village Administrator; Jean Werbie, Community Development Director; Peggy Herrick-Asst. Planner/Zoning Administrator and Tom Shircel-Asst. Planner/Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CORRESPONDENCE.**
- 4. CONSIDER THE MINUTES OF THE APRIL 24 PLAN COMMISSION MEETINGS.**

Jim Bandura:

Move to accept as presented.

John Braig:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY JOHN BRAIG TO APPROVE THE MINUTES OF THE APRIL 24TH PLAN COMMISSION MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SAY AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- 5. CITIZEN COMMENTS.**

Tom Terwall:

If you're here for items on the agenda tonight that are matters of public hearing which are A, B, E, F and G, we would ask that you hold your comments until the public hearing is held so they can be incorporated as a part of the official record. However, if you're here for any other item or any item not on the agenda now would be your opportunity to speak. We would ask you to step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens' comments?

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT at the request of Kurt Meeske of Prime Outlets at Pleasant Prairie LLC, owner, for a Zoning Text Amendment to amend Chapter 420 Attachment 3 Appendix C Specific Development Plans 2. of the Village Zoning Ordinance pertaining to amending the year 2002 Prime Outlets at Pleasant Prairie Planned Unit Development Ordinance.

Tom Terwall:

There's a recommendation that this item be tabled. Is that correct, Jean?

Jean Werbie:

We are requesting that the Plan Commission table this item until the June 12th Plan Commission meeting.

John Braig:

So moved.

Wayne Koessler:

Second.

Tom Terwall:

MOVED BY JOHN BRAIG AND SECONDED BY WAYNE KOESSL THAT ITEM A BE TABLED UNTIL THE JUNE 12, 2006 PLAN COMMISSION MEETING. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

B. Consider the request of Kurt Meeske of Prime Outlets at Pleasant Prairie, LLC, owner, for Preliminary Site and Operational Plan approval for the Pavilion at

Prime Outlets in Phase V to allow for the commencement of construction of Early Footings & Foundation for the Pavilion building and Site and Operational Plan approval for the “Cut-Throughs” located within the Prime Outlets regional retail shopping center.

Jean Werbie:

Mr. Chairman and members of the Commission, this is a request of Kurt Meeske of Prime Outlet at Pleasant Prairie, LLC. It's for preliminary site and operational plan approval for the Pavilion at Prime Outlets. The Pavilion is the former Lodge which is like the food court within the development in Phase V in order to allow for the commencement of construction of early footing and foundation work and site and operational plan approval for the cut-throughs which is located within Prime Outlets Regional Retail Shopping Center.

As background information, I have an updated listing of all the approvals and permits that have been granted by the Village, the Plan Commission, Village Board and Village staff over the last several months for the Prime Outlets at Pleasant Prairie, and I'm just going to briefly touch on them. They are detailed in your staff comments and will be on the slide.

- a. Village Comprehensive Land Use Plan Map Amendment – On May 23, 2005, the Plan Commission approved a Land Use Plan Amendment, to change the land use from the Commercial Office Center designation to the Commercial Freeway Regional Retail Center designation.
- b. Preliminary Site and Operational Plan – On May 23, 2005, the Plan Commission conditionally approved the Preliminary Site and Operational Plans to allow mass grading of the Phase V properties.
- c. Master Conceptual Plan – On June 6, 2005, the Village Board conditionally approved the Master Conceptual Plan.
- d. Zoning Map Amendment – On June 6, 2005, the Village Board approved a Zoning Map Amendment.
- e. Agreement – On June 6, 2005, the Village Board approved an Agreement 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 and such. The Agreement was finalized and executed by Prime and Village officials on November 7, 2005.
- f. Zoning Map Amendment – On July 5, 2005, the Village Board approved a Zoning Map Amendment to rezone from B-3 (UHO), to the B-3 (PUD).
- g. Zoning Text Amendment (PUD) – On July 5, 2005, the Village Board approved a Zoning Map PUD Amendment for Prime Outlets at Pleasant Prairie PUD No. 2 Ordinance.
- h. Erosion Control Permit – On July 20, 2005, the Village Staff conditionally approved an Erosion Control Permit.

- i. Street Vacation – On August 1, 2005, the Village Board approved a street vacation to vacate a portion of 110th Street, west of 116th Avenue
- j. Preliminary Site & Operational Plans and Permit for the Underground Utilities – On August 22, 2005, the Plan Commission conditionally approved Preliminary Site and Operational Plans for underground utilities.
- k. Preliminary Site & Operational Plans and Permit for Early Footings & Foundations – On October 11, 2005, the Village issued Permit #05-10-0080 which conditionally approved the Preliminary Site and Operational Plans for 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, building structural steel, parking lot paving, curb and gutter, underground electric lines and other associated improvements - On November 7, 2005, the Plan Commission conditionally approved the Site and Operational Plans for the aforementioned site improvements.
- m. Final Site & Operational Plans for Phase V Retail Buildings A & B – On November 28, 2005, the Village Plan Commission conditionally approved the Final Site and Operational Plans for Retail Buildings A & B.
- n. Commercial Building Permit for Retail Buildings A & B - On November 28, 2005, the Village issued the Commercial Building Permit for Retail Buildings A & B.

Additional Village approvals and/or permits for Prime Outlets:

- o. Zoning Text Amendment (PUD) – On September 16, 2002, the Board had approved the original Prime Outlets PUD ordinance for Phases I through IV.

Preliminary Site and Operational Plan for the PAVILION:

With this application and in accordance with the June 6, 2005 Village Board conditional approval of the Conceptual Master Plan for Prime, Prime is requesting approval to allow for the commencement of Early Footings and Foundation work for the Pavilion building, formerly referred to as The Lodge, primarily located on Tax Parcel Number 92-4-122-302-0108 in Phase V. Additionally, Prime is requesting approval of the proposed building Cut-Throughs. The Phase V Retail Building A totaling 153,578 square feet of new retail store space are currently under construction with some stores planning to open in early July, 2006.

The proposed single-story, 13,000 square foot Pavilion building will be located in the center of the Prime Outlets development and is proposed to consist of lounge areas, food tenants, restrooms, information center, merchant kiosks and related services. In accordance with the June 6, 2005 Village Board conditional approval for Prime, the Pavilion is proposed to be approximately 43 feet in height from grade to roof ridge and the Pavilion Tower shall have a maximum height of 75 feet. The result of the proposed demolition of portions of existing Phases I and III buildings to create the building Cut-Throughs will facilitate improved vehicular and pedestrian traffic flow throughout the entire Prime site. The Pavilion will also include a plaza area in front or the north side of the Pavilion. The plaza will be landscaped and will provide

opportunities for walkways, outdoor customer dining and restroom areas. Additionally, the Cut-Throughs will create a two-way circular vehicular and pedestrian maneuvering pattern around the proposed Pavilion and associated outdoor plaza. The Village staff believes that the Pavilion is an essential service element for the Prime shopper and freeway traveler for the Phase V expansion and to the entire Prime development.

The construction of the Pavilion building will occur on two parcels. Therefore, in order to place the Pavilion on one property, Prime will be recording the necessary documents to transfer portions of the Tax Parcel Numbers over to one parcel number. Additionally, pursuant to the August 1, 2005, Village Board approval to vacate a portion of 110th Street, west of 116th Avenue, Prime intends to execute the Certificate of Resolution to finalize the street vacation.

Adjacent to the Pavilion is a GTE/Verizon utility substation building housing communication equipment that is located on a separate property. After extensive negotiations, Prime is very close to purchasing the parcel, and in compliance with the Conceptual Master Plan for Prime, this parcel and substation will be incorporated into the development. Prime will need to provide to GTE/Verizon easements to allow access, utility and maintenance to the substation building. Prime plans to physically improve the exterior of the substation and screen the substation with landscaping as it will be located within the Pavilion plaza area.

The Site and Operational Plan Application and the associated attachments are provided as Exhibit 8 for you. For additional information pertaining to this development is provided in a written narrative and also provided in Exhibit 9.

With that I'd like to continue the meeting. This is not a matter for public hearing, but the developer is here. I understand after discussing with my staff that they do have some concerns with respect to the staff comments. I was not able to meet with them this afternoon as I was meeting with another developer on the agenda this evening, so I'm not sure if they would like to go through some of their concerns or questions, or if the Plan Commission would like to ask them any questions I'm sure they'd be happy to answer those.

Tom Terwall:

Anybody representing the developer wish to speak?

Michael McTernan:

Hello Commissioners, Attorney John Michael McTernan, 6633 Green Bay Road, Kenosha representing Prime Retail. Here also is Mike Molinaro with Partners in Design who is the architect for the project. Obviously you know Kurt Meeske, Vice President for Prime Retail that's in charge of the development project, and Rich Wagner is here as well, the civil engineer on the project.

A couple things I wanted to touch base on are as you know we are putting together an expansive project out at Prime Retail. One of the things dating back, and I guess I want to put it in a little perspective because it's following a similar process last year when we came forward to build phases, what's listed on the overhead projector as buildings 5A and 5B. When we did that project, we were understanding and entered into an agreement, if you look back on the chronological events, one of the hallmarks of the project was we were going to build this food

pavilion and we were going to do all these cut-throughs through the existing center in order to provide this circular traffic through the project.

When we did that, we entered into an agreement back on November 7, 2005, and at that time, and I don't have the document in front of me, but there was like a two year window we would have these items completed. The fast paced world of retail and business has drastically changed all that, and we are where we thought we'd be two years from now and we're there today and hence why we're here before you guys today. It's great news. Everything is moving at an accelerated pace and we are doing things that we didn't think we'd be doing until maybe the end of next year let alone right now.

So what that has done is the developer is putting a ton more money in the project at a much faster clip, and a lot of it is driven by the successful demand he has on tenants wanting to come into 5A and 5B. That's bringing people on line. Tenants are going to be moving into this site this summer as noted, and we want to begin construction on the food pavilion and the cut-throughs so the food pavilion is open this holiday season. It's an incredibly fast pace and we're here much sooner than anticipated and hence I know the staff has done a tremendous job working with us to get this approval, because as the construction guys, Camosy is telling us we need to get in and start doing footings and foundation if we're going to meet our time line of being able to be open and have the Lodge completely available for occupancy come this holiday season.

With that in mind, there's still a fair number of nuances that the architects and staff and Prime Retail are working on in order to build this facility. By no means are we asking for anything against the ordinance, but there are a few criteria that are referenced in the Village staff report for recommendation that I don't want the Plan Commission to be surprised about or to understand that this is going to be golden on what we're going to be building because we're still getting these comments back from staff, and I know we're all working at a fast pace. We will be meeting with staff when we put together final plans for construction for the elevations for the building but we're not quite there yet.

During the development process, as you know, things changed. Some of the things that we're looking to do based on how the building is going to lay out, how it's going to function, how it's going to blend in with the rest of the buildings on site may not necessarily drive exactly as stated in some of the conditions that are on here. I'm going to have Mark Molinaro go through some of those with you, but what I guess I'm looking for is we want to be able to get approval to be able to start building footings and foundation. We understand that does not give us the ability to continue on to have the entire building built because we still have to come back and have exterior elevations approved by you.

The one thing that I see in the document tonight is it's locking us in or saying were' going to build a building that looks like X, and I know that in the last couple weeks we're going to be building a building that's X with some minor changes here and there. Mark is going to go through some of those, but I guess I don't want anyone surprised, but I also want approval that we can, if acceptable obviously to the staff and acceptable to you guys, we can make some modifications the next time we come back before you when we come in for final plans.

So in that regard I'll be having Mark go through some of those comments and some of those changes, but like you know what we build at Prime and like the buildings that we've constructed and are in construction there, we're not going to disappoint you on putting some poor product out there. We're going to be putting in a wonderful product that everything is going to be excited

about and fantastic. I'm going to have Mark go through some of those with you. I look to the Village staff and I look to you guys to allow us to the process so we can have this facility open at the Christmas holiday season but not have us specifically locked into having to build exactly what's on what I'm looking at as paragraph 2 with some of the particular requirements. So, Mark, if you can come up. Or, I'm going to have Kurt Meeske give some background. Thank you.

Kurt Meeske:

Kurt Meeske, Vice President, Velman Construction. Good evening. As Mike indicated, we have a couple of items that we're asking be delayed in this approval on foundations and footings until the final site and operational and final elevations are presented to the Board. Probably within the next month you'll have that information in front of you. And those items to kind of be somewhat generic, staff has placed numerous items in the conditions regarding selection of materials in the exterior and where certain brick and stone elements will start and stop on the tower. It's getting down to feet and inches that we're negotiating with staff. We're not prepared to lock into the exact exhibit that is presented here at this point in time, and we're asking for relief of those elements that are indicated in the staff's comments at this point in time.

Item 2 is another item addressed in here that the center plaza and the cut-throughs is going to present a whole variety of new pedestrian traffic ways where people are going to be crossing from the buildings and sidewalks and cross streets into the plaza areas, etc. One of staff's comments is that these pedestrian crosswalks be decorative either out of bricks, stamped concrete or stone but not asphalt. From Prime's perspective this represents a problem for us. We support this look, we've done it in many of our projects and have had to subsequently within two to three years remove the majority of it. Decorative crosswalks are a wonderful thing, but when you dump salt and you have the heavy traffic and the oil staining and those issues on them they have a tendency to erode at an accelerated pace. We don't allow salt on our sidewalks, but yet here we end up dumping it on it in huge quantities and that just deteriorates over time and doesn't present a long-term maintainable product. So that's one of the items that we would request be changed to typical normal striped access pathways.

The next two items are quite small in substance. They refer to a sidewalk that staff and us had discussed just recently I believe last week which they proposed be added along 108th Street. Actually it goes clear from the front of A clear down off the page to facilitate in pedestrian traffic out on that side of the project up against the road. We're exploring that at this time, however that area was heavily landscaped and bermed previously to screen the backs of the buildings. And with all the utilities and easements in there I think we need to take a little more time to review that and see if it's a viable solution for both the Village and Prime. I would like not to lock that in at this point in time.

And then the third item, Mike if I could use you one more time, is the location for the primary monument sign for the expansion project. Due to the relocation of those streets up at that interchange many years ago, the Village still possesses utility easements, etc., that extend back to about 127 feet from that corner. I'm sure you don't want us to put our sign nor do we 120 feet back from that interchange. Staff and us need to work out an accommodation of some sort of relief or a spot that they give us an area in that zone to place that sign. Again, the reason I bring that up is it's been placed in our conditions as a condition of opening 5A and 5B, and due to the fact that we are opening by June 30th of this year I doubt that those easement documents and surveys, etc., will be accommodated by then. We have a temporary sign up that staff has

graciously allowed us to put in the easement on a temporary basis. We think it looks very good. We don't want to keep it long term by any means, but it would be a solution to the problem of timing. That's the end of my comments if you have any questions for me.

Tom Terwall:

Anybody else wishing to speak on this issue? Anybody else? I'm going to open it up to comments and questions from Commissioners. Before I do, Jean, are you prepared to respond to any of their comments?

Jean Werbie:

No. I actually wasn't at the meeting this afternoon, but it sounds like they would like to discuss further with us Item 2b.iii., e., and they want to talk further about the primary monument sign. I guess the only comment I have with respect to having that installed is we did talk about waiting until things were further along to get that installed. If there's enough adequate signage out on the site and the address for the new phase is someplace so that it's adequately visible from the street for fire and rescue and others to find it, I think that's one thing for sure that we can delay the installation of that primary monument sign. I know that there are plenty of other Prime signs out there. So that's one thing that I can say with some certainty that we can delay.

Wayne Koessl:

Mr. Chairman, I have no problem with them getting the site and operational plan for the footings and foundations and also the site and operational plan for the same thing. I think the other things that were brought up here should be worked out through staff. When staff is satisfied, then they can come back to the Plan Commission with all those other items. I can see where they want to move ahead and get those footings and foundations in, and I don't think we should be an obstruction to them as long as they work with the staff and make sure everything else follows our ordinances and codes.

Mike Serpe:

Wayne, I don't totally disagree with you but I do have a question. Maybe Mark can answer this. You're an architect. If you're going to design a building of whatever proportion and size, you're going to design the footings and foundations to accommodate that building I'm going to guess, whether it be two stories, three stories, whatever. You're asking for permission to go ahead with the footings and foundations, but do I understand we don't know what the top above the ground is going to look like yet?

Mark Molinaro:

No, not at all. Mark Molinaro, Partners in Design Architects, 600 52nd Street, Suite 220, Kenosha. I'll use the analogy of the IcePlex and the RecPlex because we're certainly all familiar with that. That was the project we initiated footing and foundation. Started that project quickly. We knew generally if not specifically what the footprint was, what the height of the building was going to be. What we didn't know or some of the canopy elements that we put on, maybe how

much glass we were going to have at the corners of the building, very similar to what we have here only I would say even to a little bit lesser degree, and that is we know specifically what the footprint of the building is going to be, the eave heights, the roof pitch all of that. What we're discussing right now and to some extent debating with staff is the use of the exterior finishes on the building, how much stone is there going to be, how much cladding is there going to be if any, how much asphalt shingle there's going to be and that type of thing. None of it will impact anything structural on the building.

Mike Serpe:

To staff, if we were to grant permission tonight to start their project for their footings and foundation, could what Mark just mentioned, the aesthetics of the building, be worked out somewhere down the line as we go along? Is that not a good idea, a good idea, how do we look at that?

Mike Pollocoff:

Ideally you like to have everything worked out because it just saves a lot of consternation. I think the question that you brought up and one of my concerns is the footing and foundation going to be able to hold the building that we anticipate it's going to be holding and it's not going to be a . . . structure which would be lighter. That's my . . . is put down now wouldn't limit the Village at least in our estimation based on the meetings with staff as to what we anticipate the horizontals of that building are going to look like, whether it's going to be stone or what have you.

Mark Molinaro:

If I can address that. The minimum foundation you would do would be an eight inch concrete foundation with a typical spread footing. Whether I do a veneer stone or a concrete block wall, veneered stone would be a metal stud bearing probably if not a steel column bearing and that would all sit on an eight inch foundation. If I do a concrete block where the exterior walls become a bearing wall that's going to be an eight inch block because the building height isn't substantial enough to change that. What we're talking about is the bulk of the load here is really the roof load. The dimension of the building, and if you go back to that image that was up, the pitch of the expanse of that building isn't going to change. That's where the bulk of your load comes from.

The tower element which is all stone right now would be going just the opposite. I would be taking some load off of that structure, but that's all stone veneer. It's a steel structure behind that. So the stone veneer compared to the EIFS there's a little more weight with the stone but you'd be surprised with this stone weighs now. It's not substantial.

Mike Serpe:

I follow.

Mike Pollocoff:

I think that's probably from the staff's perspective and what the staff has seen and what the Commission has seen it's going to be the difference between the stone and the EIFS. I think that's the part that hasn't in the mind of the developer been worked out and the staff feels

comfortable with the original proposal. If what Mark is saying it's going to be able to hold either then I think at least that doesn't end up being a point of conflict down the road.

Mark Molinaro:

Just for a point of clarification, the State of Wisconsin Department of Commerce they also go through an approval process, so what we send to them needs to certainly be designed and engineered such that it's going to support ultimately what the structure is going to be. They will provide that early approval process for us to be able to permit here for footing and foundation as well.

Mike Serpe:

Just one last. Assuming they had a plan for this building to sit on a footing and foundation and it was going to be let's say of cedar, a very light weight material and non bearing anything, and then ten years from now they decide to take that cedar off and put a different face on there like a block or a stone, they could do that and we wouldn't make them redo the foundation or the footings for doing that and that would be acceptable I'm going to guess?

Mark Molinaro:

Well, you'd probably trust in whomever your architect or engineer is that they've gone through the process. I wouldn't do it if the client came to me and said we'd like to take this cladding off, this cedar and put stone on it without going through some generations of making sure the footings and foundations are--now, the problem more often than not is the owner has already lost the drawings at that point in time so we're kind of guessing everything to begin with. But I understand your question, and the answer to that would be I would think staff would take the same approach because you guys are pretty diligent about what you do when you issue permits to make sure that's all been thought through and looked at.

Mike Serpe:

And my last comment or question would be that if we were to go ahead and approve the request tonight and something were to happen structurally in the future, would we be as culpable for the damages as Partners in Design?

Mark Molinaro:

I'd love you to tonight say you would be. Somehow I doubt it.

Mike Serpe:

Because we gave the stamp of approval would we be part of the lawsuit?

Mike Pollocoff:

To me the risk to the Village is and the risk to the owner is that we can't agree on what the next phase looks like for some reason, whatever comes up, and they've already sunk the foundation and there's some difference of opinion. I don't know that that would affect the structural capacity of the building. It's going to be more of the look and the presentation of it as it relates to the

building. The other issues, what the sidewalks look like or whatever those are a little more generic.

John Braig:

I think we've worked with these people in the past and we haven't had any problem and things have worked out well. However, I don't want to approve something tonight with even an implied agreement that we're going to accept modifications in the future. I think our experience in everything we've done in the past has been a willingness to show or willingness to accept modifications and changes that fit what we think should be out there and staff has a pretty good idea of what that is. What I'm leading up to is I would like to recommend approval of what we see tonight and indicate a willingness to accept changes but certainly not an obligation to accept changes and have the staff work with the petitioner to reach something of an agreement. If no agreement is reached then we stick with what we've got tonight.

Tom Terwall:

You're basically saying exactly what I'm thinking but just in different words. I think we have enough faith in staff to be able to work this through to a proper resolution. But I agree that I don't want to take any action tonight that a developer can come back and say that you gave me authorization to make these changes. I don't think we have enough information regarding any changes to approve that. So I'm willing to approve what we have with the understanding that staff will continue to work on those final issues, and if that's acceptable to staff that's fine with me. I have faith in the ability of our staff to do this, and I also have a lot of confidence in Prime Outlets because of our track record with them.

John Braig:

Don't leave Partners in Design out either.

Tom Terwall:

No, that's obvious to the case. Any other comments or questions?

Jim Bandura:

I do agree with John. I want to stick to something concrete as far as the design goes with staff looking at it and having the ability to make minor adjustments. I just don't want the--the way it's been presented here it's like there's more than just some changes so I agree with John.

Tom Terwall:

Can we have that in the form of a motion?

Kurt Meeske:

Can I make one comment before you vote. I'd like to ensure the Board that the issues are minor. Just to give you an example, this upper tower portion we've always represented as being stone clad. We have always assumed that we were going to put some sort of signage up there. We've been working with staff on that item. We've done mockups in the past month with the people

that have come forward and the names we're going to put up there. One of the things we realize is that most of the tenant's names are using dark colors, Adidas, Coach, etc. They're all dark, dark colors. And when we did the mock ups we realized that dark on top of dark resulted in nothing. So one of the proposals we've been working on with staff is that from this ledge right here going up that we're exploring the options of going to something much more lighter which was probably going to be EIFS from that portion up or something similar. It's an exploration at this point.

I have ordered my structural steel in order to meet my time frames, and I've ordered structural steel for this building that will support any and all things that we've shown you originally. So I want to put you at rest. We're not putting ourselves in a situation that anything that we do of a lighter nature is going to, if staff and us come to the conclusion that it goes back to the original, I have the support and the structure there to do it. So that's the kind of things that we're working towards. We're not putting anybody in a situation where there's a trap at the end of the rainbow. The other types of issues that we're going over with staff is a little bit of metal treatment on the buildings that has to be worked out yet at those locations, and then some additional stone or masonry in some zones like right here that I'm pointing at. The issues are really very minor and I just want you to feel confident that we'll be there for it.

Mike Serpe:

A couple other concerns that they have and I don't think we've touched on them.

Tom Terwall:

I think we've got them all.

Mike Serpe:

No, the decorative sidewalk.

Larry Zarletti:

They were going to discuss that with staff. That was going to be part of my motion.

John Braig:

Our approval tonight would be for the brick for the foundations and implied that it's a brick walkway at this point. We're not obligated to accept a change to it. If staff comes in with a recommendation for the change we would entertain that.

Larry Zarletti:

Mr. Chairman, my motion is to approve it as presented subject to terms and conditions outlined by staff, and also that the items brought forth tonight by Prime Outlets would also be discussed with staff.

John Braig:

Second.

Tom Terwall:

MOTION BY LARRY ZARLETTI AND A SECOND BY JOHN BRAIG TO APPROVE PRELIMINARY SITE AND OPERATIONAL PLANS FOR THE PAVILION FOR FOOTINGS AND FOUNDATIONS–

Jean Werbie:

And site and operational plan approval for the cut-throughs that will allow them to proceed forward–

Tom Terwall:

Can we do that in the same motion?

Jean Werbie:

Sure.

Larry Zarletti:

That's why I said as presented.

Tom Terwall:

Okay. Subject to the terms and conditions outlined in the staff memorandum with the understanding that staff will continue to meet with the developer to resolve any unanswered issues. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

C. Consider the request of VK Development, property owner, for Final Site and Operational Plan approval for the 126,842 square foot Target store (part of The Shoppes at Prairie Ridge) generally located south of 76th/77th Streets, north of Prairie Ridge Boulevard, east of 104th Avenue and west of St. Catherine's Hospital.

D. Consider the request of VK Development, property owner, for Engineering Plan approval for The Shoppes at Prairie Ridge, generally located south of 76th/77th Streets, north of Prairie Ridge Boulevard, east of 104th Avenue and west of St. Catherine's Hospital.

Jean Werbie:

The request of VK Development, owner, for Final Site and Operational Plan approval for a Target store which is part of The Shoppes at Prairie Ridge, generally located south of 76th/77th Streets, north of Prairie Ridge Boulevard, east of 104th Avenue and west of St. Catherine's Hospital.

The second item on the agenda is really a preliminary site and operational plan engineering plans, and this is for The Shoppes at Prairie Ridge, and this is to install the underground utilities and engineering work on the site.

Background Information

On March 20, 2006 in accordance with the May 10, 2004 Plan Commission approved Prairie Ridge Neighborhood Plan and in accordance with the August 1, 2005, Village Board conditionally approved Master Conceptual Plan for the Prairie Ridge commercial area, the Village Plan Commission and/or Village Board conditionally approved the following development applications associated with The Shoppes at Prairie Ridge. In fact, that is our new name for this development, The Shoppes at Prairie Ridge. The commercial retail center consisting of a 126,842 square foot Target store and an attached 188,294 square foot attached multi-tenant retail development. In total, the commercial area consists of between 315,000 and 320,000 square feet of retail space.

These are the projects that have been approved to date:

- < Preliminary Site and Operational Plans – Were conditionally approved by the Plan Commission to allow for the commencement of mass grading and underground utility work for Lot 1, Lot 2 and Outlot 1 of the project area. This was approved through a certified survey map area.
- < Certified Survey Map – Was conditionally approved by the Village Board to subdivide the approximate 44 acre property. Again, this allowed for the parcels 1, 2 and 3 to be created as well as an outlet.
- < Zoning Map Amendment – Approved by the Village Board and this was approved to correct the zoning map as a result of some wetland re-delineation work for a wetland located at the southeast corner of 77th Street and 104th Avenue. It's identified as Outlot 1 of the certified survey map plans. The re-delineated wetland area was rezoned into the C-1 District, and the non wetland area of Outlot 1 was rezoned into the PR-1, Park and Recreational District. Outlot 1 is also included in the PUD Overlay District.
- < Zoning Text Amendment – Was conditionally approved by the Village Board to amend the Village Zoning Ordinance to prescribe specific zoning regulations applicable to a PUD Overlay, and it was over these Lots 1, 2 and 3 and Outlot 1 of the certified survey map, and these are applicable to The Shoppes at Prairie Ridge Commercial/Office Development PUD.

The request this evening is for final site and operational plan for Target. With this application, VK Development is requesting approval for a Target store located on a 12.32 acre Lot 2 of the certified survey map. VK Development is preparing the B-2 (PUD) zoned site to the point of the actual building pad construction, including the site grading, the construction and extension of underground utilities to the building pad and the construction of the associated property site improvements. Eventually, Target will purchase Lot 2 and they will construct the Target store building.

As previously discussed at length during the March 20, 2006 meeting, the Target store, which is Building G on the site plan, as well as the remainder of The Shoppes at Prairie Ridge commercial retail development, which is Building F, will be a single-story commercial retail center totaling approximately 320,000 square feet in total area with associated site improvements. Upon full construction, The Shoppes at Prairie Ridge will be physically connected and the in-line store commercial development will have the appearance of being one contiguous building using the same exterior building materials, colors and similar architecture.

The architectural concept of the Target store, as well as the remainder of the multi-tenant building, is to create the appearance of a two-story retail structure, while at the same time minimizing the scale of the building to create a softer commercial retail center appearance through the use of multiple breaks and jogs/articulation in the building façade, various roof lines, a combination of exterior building materials such as brick, stone and stucco and the use of awnings and covered walkways. In addition, extensive landscaping and a public gathering area situated along the building front will create an inviting pedestrian shopping experience. Similar architectural themes will be used throughout The Shoppes at Prairie Ridge development as well as the future office buildings, which is to the south, to create a unified, cohesive development.

The Target store will incorporate aesthetically interesting architectural elements not only in the front elevation of the store, but also on the east elevation, which is facing St. Catherine's Hospital, and the rear elevation. The west elevation of the building will be less architecturally pleasing, but this wall will be essentially unseen because it will be basically abutting or connected to Building F to the west. The incorporation of decorative pergolas, street level building recesses and the use of decorative faux windows are elements that make the store more human in scale.

During the March 20, 2006 meeting, the Plan Commission had concerns regarding the difference in the exterior building materials, particularly the color of the exterior building materials, between the Target store and the remainder of The Shoppes. Over the last several weeks, VK Development and Target have worked together to incorporate similar exterior building materials and colors throughout the entire development. Fouad, if you want to bring up the colored rendering and you can start showing the Plan Commission and I'll keep going with the staff report. The result is a more uniform looking development. The exterior building materials will be multiple brick types and textures, simulated stone, integrally colored rock-face masonry units, extensive glazing both clear and spandrel and metal detailing. The cornices on the higher parapet elements on both the Target building and the multi-tenant portion of the development shall be of the same style and make up and material. The Target store Site and Operational Plan application and the written narrative has more details with respect to the commercial development and it's specific operations. We also do have a representative here from Target Corporation, so if you have any specific questions I'm sure she'd be happy to answer those particular questions.

Under the security ordinance, I'm going to have some items that I'd like to go over with the Plan Commission that we discussed with Target representatives this afternoon and I'd like to cover

those as well. On November 7, 2005, the Village Board adopted Ordinance 05-51, entitled the Security Ordinance. The purpose and intent of the Security Ordinance is to provide for the implementation and use of digital security imaging systems, DSIS, that monitor the exterior spaces and areas of certain commercial retail establishments and retail developments in the Village. The Security Ordinance applies to all PUDs, Planned Developments, other certain retail developments containing more than 125,000 square feet of total gross floor area or stand alone retail stores containing more than 50,000 square feet of total gross floor area. Therefore, this commercial PUD consisting of over 315,000 to 320,000 square feet will be required to provide, install and maintain in good working order, one exterior DSIS for security surveillance purposes for the entire development. The property owners will need to work with the Pleasant Prairie Police Department as well as Community Development to ensure that this development complies with the requirements of the Security Ordinance. As a part of the security system, the developer/owner shall provide an easily accessible on-site security room devoted solely to the PPPD which shall be easily accessible within the Development, as approved by the PPPD. Additionally, the exterior parking lot lighting standards used throughout the development shall be of a design that will accommodate the installation of security cameras which are able to clearly view all exterior portions of the property. The DSIS shall be fully operational prior to occupancy.

In order to provide for a more secure main store entrance, the Police Department is also requiring that the main glass building entry be protected with a series of decorative, aesthetically pleasing planters or bollards, sufficiently spaced to prevent vehicles from passing between these barriers or some other appropriate means as approved by the Village Police Department. Likewise, the Police Department will require that each store within the multi-tenant portion of the development that sells high-priced or high valued merchandise, and this could be electronics, jewelry, leather, anything similar to that, or if they have ATM machines immediately inside their main vestibules, that they need to incorporate similar main entry protection or security devices.

As an added measure of security, the parking lot lighting shall not be reduced or eliminated to the point where the lack of sufficient lighting reduces the ability of the on-site security cameras to monitor the exterior of the site, including the parking lot.

With respect to on-street parking and traffic, pursuant to the PUD, the number of parking spaces for The Shoppes at Prairie Ridge, regardless of the uses, shall at no time be lower than 4.5 parking spaces per 1,000 square feet of net leaseable floor area. Specifically, the total number of parking spaces provided for Target is 699 spaces, consisting of 682 standard spaces and 17 handicapped-accessible spaces.

Customer and employee parking shall not be permitted on any public streets, including but not limited to 75th, 76th and 77th Streets; 99th and 104th Avenues; and Prairie Ridge Boulevard. On-site or off-street parking shall be designed to accommodate all employees, visitors and patrons. Furthermore, parking on neighboring properties is not allowed without the property owner's and Village approvals. Typically what they do is they will have cross-access easements from the Target site to the balance of the site that VK is developing and I'm going to discuss that as well.

All parking lot improvements including but not limited to: paving, striping, landscaping, concrete vertical curb and gutter for the Target site, including access drives that may be located off-site from the Target parcel that will be necessary to access the Target site, shall be completed in full prior to the opening of the Target store. If the parking lot improvements for the remainder of the Development associated with Building F are not completed when the Target store opens, and this is likely, then the remainder of the Building F parking area shall be fenced to prevent vehicular

and pedestrian access. I think what's going to happen is Target will be done and open and operational, and the balance of the site whether it's the parking lot or the building will be under construction. So that area needs to be fenced off so that the customers and contractors will not have a conflict from one to the other. We need to make sure that there's security and a safe situation during their construction to complete the project.

The developer/property owner is responsible for the installation and payment of all required off-site public signage and street pavement markings. In one of our last reviews we did uncover that what will probably be needed is some additional stop signs and additional off site markings on the adjacent public roadways to accommodate the turning movements and the traffic flow in and out of the Target site as well as the balance of the VK site. So we're going to need to work with public works to design what that signage should be on the public streets, specifically 76th and 77th, and make sure that that is incorporated into the development and is installed prior to the opening of Target or other stores.

Sanitary Sewer Relocation And Easements. There is an existing 18 inch sanitary sewer line, within a 30 foot wide easement, that traverses that property. Specifically, as shown on the Plan, the sanitary sewer line extends due east from the 77th Street/104th Avenue intersection then due south to the Prairie Ridge Boulevard/100th Street intersection. As a part of this development, this Preliminary Site and Operation Plan proposes re-route that public sanitary sewer line within an associated easement to a new location. That's one of the things that VK Development is responsible for. Specifically, this new sanitary sewer line location extends east from the 77th Street/104th Avenue intersection, then south within the parking lot along the west side of Building F, then within the parking lot along the south side of Building F to the original location just west of Building G, then south Prairie Ridge Boulevard/100th Street intersection. No buildings are proposed nor will be allowed to be constructed over the sanitary sewer line and associated easement.

The former location of the 30 foot wide easement will need to be vacated and the new location of the sanitary sewer will require a 35 foot wide easement. That's actually for sewer and water. VK Development has prepared a Public Utilities Construction Agreement, a Release of Easement sanitary sewer vacation document as well as a new sanitary sewer easement Grant of Easement document pertaining to the new location of the 18 inch sanitary main and associated easement. The standard language pertaining to easements shall be included in the Grant of Easement document. That document will need to be recorded at the Register of Deed's office.

All underground public improvements shall be inspected by and dedicated to the Village.

Municipal Water Easements. The Development site will be serviced by public water main within 20 foot wide easements, 35 foot wide easements are required for combined sewer and water, that traverses the property in the following general locations:

- From east to west along the fronts of Buildings F & G.
- From east to west along the rear of Buildings F & G.
- From north to south along the east side of Building G from 76th Street to Prairie Ridge Boulevard.

- Ē From north to south along the west side of Building F from 77th Street to the rear of Building F.

Again, all of this is clearly shown on all the engineering plans and site plans. A Grant of Easement document pertaining to the aforementioned public water mains will need to be drafted by the developer, reviewed and approved by the Village, executed by the appropriate authorities and recorded at the Kenosha County Register of Deeds Office.

Municipal Storm Sewer Easements. All on-site municipal storm sewers will require 30 foot wide easements that will need to be drafted by the developer, reviewed and approved by the Village, executed by the appropriate authorities and recorded at the Kenosha County Register of Deeds Office.

Open Space. Pursuant to the B-2 zoning district regulations, each development site was originally intended to provide for a minimum of 30% open, impervious space. Per the PUD, The Shoppes at Prairie Ridge unified commercial retail development will be allowed to have 20% open, impervious space that will be supplemented through increased landscaping and other areas throughout the development site.

Development Site Access. The Target store will have the following direct commercial driveway access points:

- < Two from 76th Street, which is at the north, including the main boulevard entrance drive extending due south from 99th Avenue. This boulevard entrance will be the main access point not only to the Target store, but also to the entire Shoppes at Prairie Ridge.

Additionally, the following commercial driveway access points will serve the multi-tenant portion of The Shoppes at Prairie Ridge.

- < Two from 77th Street
- < One from 104th Avenue.
- < One from Prairie Ridge Boulevard, along the extreme east property line of the development site, through Lot 3 of the CSM, adjacent to St. Catherine's Hospital.

All driveway access points shall be aligned with existing driveways located directly across the street. If no driveways currently exist across from this development's proposed access points, then the driveways of future developments across from this site will need to align.

As proposed, there shall be no connections to the western St. Catherine's western north-south private access road without approval from St. Catherine's. At this point they've indicated that they don't want any direct connection points. St. Catherine's Hospital representatives have specifically indicated this in writing and verbally to us.

Target and VK Development shall grant to one another pedestrian/vehicular/driveway/parking easement agreements and public utility easement agreements to allow cross-access between the properties within the Development related to these issues. In addition, easements will need to be granted by VK Development and/or Target for any gas or electric services that are going to be

brought to this site to service the development. And those will need to be either dedicated by certified survey map or separate agreement with We Energies.

Construction Vehicle and Delivery Vehicle Traffic Access and Circulation. As discussed and agreed to during the March 20, 2006 Plan Commission meeting, all construction vehicle and delivery vehicle traffic is to use the 104th Avenue drive entrance only. Upon completion of The Shoppes at Prairie Ridge, it was stated that there is sufficient turn-around room for trucks to enter and exit the site via 104th Avenue. 76th/77th Street, 99th Avenue and Prairie Ridge Boulevard shall not be used for construction traffic and/or truck deliveries. The use of the 104th Avenue driveway entrance, which leads directly to and away from the rear of the buildings, will keep truck delivery vehicle traffic separated from customer traffic, enhancing on-site traffic circulation, safety and aesthetics.

Mass Grading. With the submittal and review and approval of Final Site and Operational Plan and Engineering Plans, VK Development is seeking Village approval to commence construction of the Target store and associated engineering work for the entire development. Before any actual earth moving activities can occur, the petitioner/property owner shall apply for and pay the appropriate fees for an Erosion Control Permit and street sweeping deposit. All erosion control measures will need to be in place and inspected by the Village prior to commencing any mass grading activities on the site.

Landscaping & Irrigation. All landscaping and underground irrigation for the development shall conform to the approved Landscape Plans. The landscaping/berming between The Shoppes at Prairie Ridge commercial uses and the proposed future office uses to the immediate south and the existing hospital use to the immediate east shall be substantial in order to create a visual separation between these uses. An underground irrigation system is required. It's shown on the plans for all landscaped areas around the buildings and for landscaping associated with the parking lot screenings.

Prior to occupancy, a written verification letter and/or an as-built/as-planted Landscape Plan shall be provided by the developer to the Village in order to verify that the landscaping materials planted were installed pursuant to that plan.

If the weather does not permit the required completion of the landscaping prior to the opening of the first store, then the Village may allow a landscaping deferral weather permitting in the form of a landscape bond to be deposited with the Village. However, I do set a specific time frame by which that landscaping does need to be completed.

Signage. The signage for The Shoppes at Prairie Ridge shall comply with the Article X of the Sign Ordinance except as provided for in the PUD for this development. VK Development has submitted signage for the development to be located at the various corners as noted.

- Southeast corner of 75th Street and 104th Avenue.
- Southeast corner of 75th Street and 99th Avenue.
- South side of the 104th Avenue development entrance drive.
- The main entrance of the development at 76th/77th Street and 99th Avenue.

Traffic Impact Analysis. Pursuant to a March 1, 2006 letter from the Wisconsin DOT, a TIA is necessary for this development in order for the WIS DOT to understand the impacts, determine access and establish the improvement requirements related to this development project. There was a TIA that was submitted to the Village, as well as the DOT dated May 1, 2006. After the DOT completes their review of the TIA, the DOT will permit the permit process to continue. The approval that the Village grants is subject to any conditions or improvements as set forth by the Wisconsin DOT. One of the conditions that we're thinking that the DOT may require right away is the improvement of the full intersection signalized at 94th Avenue and Highway 50. That was one of the conditions that was placed back in 1998 I believe on this development, and it was really based on traffic and traffic warrants. Our understanding is the project and adjacent property is starting to warrant that improvement. So that's one improvement. I'm not sure at this point if additional improvements at 99th Avenue, 104th or at 88th are going to be required, but those are the things that we will work through with the DOT and they will be conditions of approval if, in fact, the DOT requires them.

Village staff does recommend approval of the final site and operational plans subject to the comments and conditions as outlined in the staff memorandum, however with some slight modifications. We had a meeting with Target as well as VK Development and Village staff and the Police Department and the IT people this afternoon, and there are some issues that I do want to talk through with you that we generally discussed and agreed with them. I just want to make you privy to those because as I discuss those comments, they are not yet incorporated into the staff comments. But since time is getting short with respect to breaking ground and getting footing and foundation and other things going, we wanted to move it along and get these worked out ahead of the Plan Commission meeting.

One of the first issues was a cross-access easement. My understanding is that there are some concerns with respect to the Target project and The Shoppes at Prairie Ridge having cross-access easements to the north of 76th/77th. They are supportive of cross-access easements back and forth between all The Shoppes south, but not bringing any of the uses north of 76th/77th, that those needed to be self-contained, and if they're not then they have to be able to share cross-access east/west as opposed to crossing what will be a very busy 76th/77th Street. So those are one of the issues. I know there has been some concerns with respect to parking at Famous Dave's for example. They need to work out cross-access east/west or they need to find a negotiated location nearby their site if they are going to continue. They have to find someplace because it's not the intent of this Village to allow on-street parking for any of the uses within the center. We don't want that because it's just going to be too busy in that location. So we need to make sure that they have adequate off-street parking adjacent to their buildings and their sites.

The next issues revolve around security, and these were discussions, again, that we had with the Police Department and others this afternoon. The first is in response to comment number 9, and it has to do with the bollards in front of the glass entrance of Target and/or any other tenant space out there that is selling more expensive items or electronic items or jewelry or anything like that. The Police Department is concerned with respect to a vehicle's having the ability to be able to drive right into their front vestibule or their front store windows.

So what we would like to do is sit down with the Police Department and Target and VK and come up with an acceptable solution that is satisfactory to all parties that allows for some greater protection but doesn't specifically say, oh, you have to plant planters today or it has to be this or that. We talked about adding additional bollards or staggering the bollards, or on the west end where all the landscaping and that public space is maybe doing some planters on that side. But

we looked at some of those issues, or specifically with the design of the building if there's additional steel or some other elements that could be incorporated into Target's design for the front vestibule to help protect it greater from a car crashing through it. We wanted the ability to sit down with them and work out one of these acceptable solutions to the Police Department that will work for the tenants as well. So that's number 9. That's the first item.

The next item actually jumps back to item 8 and that has to do with security. The Village has drafted an ordinance, as you know, that was adopted last year that dealt with on-site security. And there were some provisions in the security ordinance that deals with a certain technology, if you will, with respect to the DSIS system. We've had a number of conversations now with Target between last week and today that their particular on-site security system is somewhat unique and is in some cases more advanced than our security system. They have some concerns with respect to security breaches into their system, and they would like to have the opportunity to sit down with the Village and with their asset protection system or that department or that area of their corporation to sit down with the Village to try to work out a solution that will work for Target Corporation as well as the Village of Pleasant Prairie.

We talked about a number of options this afternoon. Their concern is having the Village tapping into their secure network system. Our concern is we need to have some type of live real time access to a security monitoring system in the parking lot, both Target property as well as the adjacent property. Ideally we would like one system. So if we have to operate two independent systems they'll still do what they need to do, and then VK and Target will do a separate system. What we're looking at investigating is what different type of system can be employed so that it will satisfy the Police Department's needs and not compromise Target's system on site.

What they'll told me is as it's written today the security system would compromise their particular security system and they can't live with it. So what we need to do is try to work out some type of system that will be some type of digital wireless system, maybe a web based browser system, that will allow us to do what we need to do and not compromise their system. I don't know what those details are. They've indicated that their people would like another week or two to be able to review this in detail. Either way there is some flexibility that the ordinance does grant to the Community Development Department as long as this system that is designed meets the satisfactory comfort level of the Village with respect to being able to provide what we're looking for on-site security.

What we have agreed to tentatively with them is that within 30 days that we would enter into an agreement with Target and VK that outlines what that system will be. We won't have it designed and it won't be operational certainly until sometime after the store opens, but we want to be able to put it down in writing and agree to whatever that system or that security surveillance system is going to be prior to the issuance of building permits for the site. Because we take this very seriously and we want to know that our needs are being taken care of and their needs are being taken care of and neither system is compromised. So that's what we had discussed with them today. We would like to get the conditional approval. Again, the staff comments say it has to be this, and what we're saying is we want to modify the staff comments and the ordinance to the discussion that I've just had and to reach some successful conclusion within 30 days and hopefully less than that so we can keep their process moving in being able to get their building permit.

Then one other thing, again that I mentioned previously but it's not in the staff comments, is that we do need to have them work directly, they meaning Target and VK work directly with We

Energies in order to identify easement locations for gas and electric services to the site. The Village would like copies of where those easements are located, but that's a dialogue that they need to be having very soon in order to make sure that that site can be adequately serviced by those utilities.

So with that a representative from Target, Jackie, is here. Ajay is here from VK Development, and I'm not sure if they would like to come up and discuss any other issues or to get any clarifications on any points that I discussed.

Tom Terwall:

Anything you need to add? You don't have to, but as long as you're available to answer questions.

Ajay Kuttemperoor:

Yes, we're just here to answer questions. I think Jean pretty much covered everything as we've moved through this process and what we discussed today. As she said, we're here to answer any questions on any of the site improvements, and Jackie Bell is here from Target to answer any questions regarding the Target store.

Tom Terwall:

I have a question for staff or VK. Does St. Catherine's Flight for Life pad in any way get impacted by this development? I'm sure there was no conflict here when that pad was put it, but will there be a conflict at this point?

Jean Werbie:

Not to my knowledge.

Tom Terwall:

That pad sits at the far west side of St. Catherine's.

Mike Pollocoff:

We've given it to St. Catherine's for review. They know what the development looks like. I'm assuming that they would have—

Jean Werbie:

Also, we had an informational meeting actually the Village attended but it was hosted by Target and by Ajay. I know I saw Peter Molter and Linda Wohlgemuth were both there, and they went over the site plan at that time.

Ajay Kuttemperoor:

Right, and neither of them expressed an issue with respect to that.

Tom Terwall:

My second question is to staff. The parking provisions set forth for this development are they comparable to the parking requirements that were set forth for Famous Dave's, or was Famous Dave's permission to park its cars on the street?

Jean Werbie:

I'd like Jackie to address the parking situation, but Target has very, very specific requirements for how much parking that they need based on their experience on how many thousand stores that they have. Famous Dave's our ordinance specifically set forth that they needed this level of parking. Famous Dave's said we need more than that. They provided this and they actually need this. So there's like three levels. They actually need more than what we require and what they thought that they needed because the store is so successful at its location.

Tom Terwall:

Because at this point they must be telling their employees you must park on the street, right?

Jean Werbie:

That could be. We've had some discussions with them to find alternative locations for parking on the site as well as to have some discussions with Ajay as to whether or not some additional cross-access can be provided to the east or west in order to handle that additional traffic. Because once this development opens up there will be no parking on those streets. It cannot handle having any cars parked where cars need to be moving because at some point we might have to add some additional turn lanes and we can't have cars parked there.

Tom Terwall:

It's serious enough now, but in the wintertime I can tell you it's impossible.

Jean Werbie:

And that's correct. I think they still consider this their honeymoon period because it's still within the first six months of the store opening. So because of that they're still having peak times of traffic and parking out there.

Wayne Koessl:

Mr. Chairman, as usual the staff does an outstanding job on doing the presentations and trying to cover all the bases. I only have one comment to make. On the TIA are they going to do a quality left turn stacking to get into there? Highway 50 is a rotten highway right now for traffic and it's not going to improve. I know the State of Wisconsin doesn't have any money, but the one that comes to my mind is Highway 31 and 50 where they have those medians in there that when you're going west on 50 to go south on 31 they don't need a left turn lane there because you can't

get into it. The same thing when you're on 31 going north to go west on 50 you can't get into that left turn lane. But when you're coming east on 50 or going south on 31 they took out the medians and put double rumble strips in there so you can get in there and make the turn. It bugs me because now people what they're doing is going off by that music store and going around by Burger King and then going by Dick Cyzak and making that left there. I don't know why they need median strips there.

Jean Werbie:

I can't comment directly because that project is in the City of Kenosha and those medians were negotiated with the City of Kenosha and the Wisconsin DOT and the developers at the time. I can say that I know Kenosha County has concerns with respect to them because they're a problem for them for snow plowing.

Wayne Koessl:

My only real comment is I hope they do a quality stacking of left turns there.

Jean Werbie:

They will. And the other thing I'd like to just comment is it's been a long time since a last project advisory committee meeting or public informational meeting on Highway 50 as well as its widening and the impact of the improvements at Highway 31 and Highway 50. They are aggressively pursuing options at this time to present to the committee as well as to the public. They would like to do that this summer as well as to discuss everything that's proposing to happen at that intersection. So we have yet to see anything, but I understand this summer we will all see some new and improved recommendations from the DOT and their consultants regarding those intersections.

John Braig:

This development obviously is going to create an awful lot of storm water runoff and there will be retention or detention ponds. What water shed is this in? Is in the Mississippi or the St. Lawrence water shed?

Mike Pollocoff:

Mississippi.

Jean Werbie:

Mississippi. Des Plaines Watershed Basin. John, when Prairie Ridge was originally designed and laid out back in '96 to '98, there were some area wide retention basins that were designed in the Prairie Ridge Development to be able to handle the storm water runoff from the commercial development so that individual basins were not required for the commercial runoff. And those basins are just south of Prairie Ridge Boulevard. There's three that I can think of, and there's another one or two over on the east end by 88th Avenue, so those basins have already been sized and designed and constructed and are operational. Target and the VK project do not need to construct any additional basins right here. They do have some active wetlands in the northwest

corner that will continue to retain any water that flows to that direction, but they're not going to need to put any additional basins in on this project.

John Braig:

Is the drainage from the basin by surface ditches or is it piped?

Jean Werbie:

Storm sewer.

John Braig:

It is a storm sewer?

Jean Werbie:

Correct.

John Braig:

Thank you.

Judy Juliana:

Clarification. Under staff comments item 6 relating to the facade on Target, it says the cornices and the higher parapet elements on both the Target building and the multi-tenant portion shall be of the same style. According to this it doesn't look like it. It looks like it's missing the cornices on the Target building. They're flat tops. They don't have the cornices.

Jean Werbie:

Do you want to address that?

Fouad Saab:

Good evening. My name is Fouad Saab. In the packet that you looked at it was a little bit--we revived the color of the elevations for Target at that time, but then we had Target go back and revised the cornices and we've submitted that to the Village. What you see here on this rendering on the overhead has matched our elevation. So you'll see the cornices more refined and defined in that perspective.

Judy Juliana:

Okay, I see it, yes.

Fouad Saab:

Versus what you have in that elevation that you've got.

Judy Juliana:

Alright, thank you.

Jim Bandura:

Just as a take off on that, to me it still looks unbalanced as far as the facade of the tenant layout and Target. I think I brought this up last time was to take some of the elements that are on the multi-tenant and incorporate it into the facade of the Target. The reason I'm bringing this up is because as a Plan Commission member we need to incorporate into that development some kind of prairie elements. We've asked the hospital, we've asked the church, and we've even asked VK on this development, his Shoppes there. So right now this looks imbalanced and that's one reason why I believe Judy brought it up. So in my mind I'd be all for approving this subject to having these elements being incorporated on the Target portion also. Again, it just looks unbalanced.

Fouad Saab:

I think you--I can understand your valid point. We have looked at this and I think Target has a branding stores, and part of their branding is the style or the geometry of the building. So what they have done is maintain that, and the new image that Target has been--

Jim Bandura:

I understand that. I work for a corporation that is big box and I'll probably get fired tomorrow for saying it, but I understand the branding issue. But, again, the Village has gone through all of the steps and asked for prairie elements to be incorporated in it.

Fouad Saab:

If you'll let me continue. I think the project has come a long way from even the last time you've seen it. Part of what you don't see I think for me an architect designing the rest of it and then coming in to work with Target on this, from my perspective I think sometimes renderings are a little bit kind of bold when they come at you. But I see the material. I see the trellises that they put on the front. They softened the colors. I think it blends and is really going to tie well together with what we have. The other thing is what we don't have in our elevation is the symbols or the logos of the other buildings. That's not tied in as well. So if we put the logos of the other buildings of the multi-tenant, if we know who they are, then you'll see it's really balanced. Right now the bull's-eye is jumping at you and that's what really is your focus coming at.

Jim Bandura:

And I can see that. But if you take an element from the multi-tenant and put the bull's-eye on it, I believe it would be a continuation of the elements that are on the multi-tenant. So the problem I have with this is this is big box. The curved elements aren't portrayed and it's not balanced on the Target side.

Fouad Saab:

They broke it up. Again, I cannot come in and break some of their elevation as it is. I think this is one of the Target's you'll see that has the most broken elevation. I think they've showed the

compromise by adding the stone that matches what we talked about on the building. I think the bricks start blending. They brought in the stone elements that we have here. Even the cornices, I think it's hard to perceive it, but these bump outs are quite a bit of bump outs and big elements. I think they will tie together. I think here we've broken it down more but, again, this is how the branding they are envisioning to be. I can't put red balls in front of the other buildings because that's their branding. So that distinguishes themselves but they're still tied to us very well and very strong with the elements, the bump outs and so forth.

Jim Bandura:

But part of the problem is the elements that are shown in the multi-tenant aren't shown here. Again, you're looking at the elements, and architectural elements are, again, the arches, the towers one, so, again, if those can be incorporated on that I would be in favor of doing it with an amendment along with Jean's other comment.

Fouad Saab:

I can't tell you how we've worked very strongly with Target. They've been very cooperative. They've come a long way with what we have requested from them. I think I personally from an architectural point of view I feel very comfortable with the way it is. Yes, we all want as much as we can everything, but I think, again, two different architects designed this but we tried to meet mid way and we tried that very hard and I think we have achieved that.

Judy Juliana:

I think you've achieved a lot from the last time we've seen this. But I think what my concern is it looks like we've separated Target from The Shoppes at Prairie Ridge. There is such a delineation there. It doesn't look cohesive.

John Braig:

And Target took the cheap route out.

Judy Juliana:

I don't have a problem with the elements that you're using, the brick and stone. I think that's really great. I understand that Target wants to continue their branding. That's well and good. The only thing my concern is when you look at this picture here, these end ones, it doesn't mirror. They have the pediments on the top and these are flat. And even with the cornices that you have put on there, which is an improvement and it really does look nice, but I think we need to at least make it more of a continuity in the way it looks. I think the branding of Target is great. I understand what you're saying about the bull's-eye. That's fine. I don't have any issues with that at all. My issue is the roofing, the roof line, to make that more in keeping with the rest of The Shoppes at Prairie Ridge. They're still going to have their branding. It's not going to take away from that. I'm looking more to maintain the prairie look, more of a Frank Lloyd Wright. And you've done a marvelous job so far. I think it's great. I think you guys have really worked well, but I hope you can understand where we're coming from to make it more of a continuity.

John Braig:

When you look at it, I get a distinct impression that Target has made an effort to distinguish their structure from the rest of the development, and that's contrary to what I think this group wants.

Fouad Saab:

I think in support of what you said that's great. They're one big store. They take almost a third of what we are. I've gone personally to look at other Targets outside Wisconsin and I've seen this element here is their brand. I've gone and seen over and over. They tried to modify some of the stuff but that's where it really jumps at you as a Target.

Judy Juliana:

You're talking about the large building with the Target logo on it?

Fouad Saab:

Right.

Judy Juliana:

That's fine. I can understand that. But even if you left it that way with a higher cornice and you took those three end buildings where the pharmacy is at and you added the same type of element that you have with the other buildings on the other side and just put the same roofing on it where it's a little bit higher and not level, the heights are different--

Fouad Saab:

Again, we've pushed the economics--I want to go back to economics also as well. We've pushed the economics on this project as far as we can from the developer's side as well as the Target side, and we've maxed out on that. I've bid out these projects and I've seen the numbers come in. I'm kind of shocked with some of these that we can't even touch anymore. I can see what you're suggesting, but again some of it is from--I won't speak on Target's behalf, but they've maxed out at what is allowed for them to spend. They've gone far beyond on a project like this in this town. The price they are paying and what we are trying to get from them is not being feasible no longer. I'm being honest.

Jim Bandura:

I understand that. Again, working for a large corporation I still believe that these elements can be incorporated and not so much with budget in mind, but I still believe you have the bump outs, you still have the same color facade, but to take those elements that you have from the tenant side and incorporate two or three of them on that I still believe that it can be done cost effectively.

Ajay Kuttemperoor:

Can I just ask a question. When you're referring to the element are you just referring to the arches that we have on our side?

Jim Bandura:

The shapes, the arches, the tower element to balance it out across the front. You're coming into Pleasant Prairie and I don't want to see an unbalanced building or whatever. Again, Jean has sat down with a number of corporations and mine for one went a different way in design. In my opinion I believe this can be done feasibly. After I say this she can go ahead. In my mind right now I'd make a recommendation to approve this subject to incorporating elements from the tenant space over to the Target. And the branding on the Target is fine. Jean probably can work as far as the size of the logo and everything and I think it can be worked in with some other element on there. So have at it.

Ajay Kuttemperoor:

I might ask Jackie to come up and talk about their branding a little bit. From our last meeting, the March 20th meeting, we did meet with Tom Carrico who was there at that meeting as well as their architect, and we had asked them to incorporate some of the arches, those elements, into their building, and they just felt it went too far against the look of the Target stores they have across the country that they were trying to achieve. So instead of putting the arches we asked them at least to agree to the cornices and the matching building types and, in fact, the tower element on the east elevation facing the hospital. I hear what you're saying. We can certainly ask them about these elements. I don't know what their reaction is going to be. I can ask Jackie to speak to that.

Jim Bandura:

Please.

Ajay Kuttemperoor:

But, as I said, we did request them to do that and from Target's perspective they've obviously come a long way since the initial design of the building. We have been working with them very hard to come up to this stage. I can't speak for Target as far as what they're willing to do.

Jim Bandura:

I understand, and I understand that you need to go back with them. Again, I don't know how many times I'm going to say this, but I work for a corporation that has almost 5,500 stores, and we go through the same thing that you're going through. We do a compromise and it's just as simple as that. It's a good corner. Target needs to be out there. I'm in total agreement with it. So to just take it and take the elements and get it on to there I just believe it can be done.

Jackie Bell:

Good evening Commission and staff. I'm Jackie Bell with Target Corporation. I'm a development manager. I'm not the architect on the project so some of the language that you might be hoping to hear from me should be better said by our architect who is not here today. But what I would like to say is Jean and Fouad, first off have done a marvelous job working with our architect so far and have really gone to great lengths to try and bring something Pleasant Prairie that you all can be very proud of.

First off I would like to say that the elevation, this view, is probably the very most unappealing to ever look at a structure of our size in a line like that. It will never look like it has vertical articulation like you . . . an image that is from a perspective or from a human scale is really so much more appropriate to view it. The elevations are always part of a submittal and they're really always the most difficult to understand how the building feels itself.

Now, the dollars that were spent on this project were really done in the materials as well as the horizontal articulation versus the vertical, the human scale if you will. And to that we've added so much material on this structure that matches with the rest of the center that it is really pushing the envelope of what we can throw dollars at. I don't even know if it's worth me getting into shapes and what we've tried to match or how we've gotten to where we are, but those few points.

Mike Serpe:

Jackie, I'd like to make a comment. I understand what you're saying about the dollars spent and everything else. But you know the reality is that Target is not going to be there forever but hopefully that building will be there for quite some time. If Target ever decides to say that we're going to move out of Pleasant Prairie or Wisconsin and we're going to close the store, the next tenant is going to take over and they may not want to look like Target, but we want that building to look like everything else up there. So I think that's where we're coming from. I think the future of what we want this to look like, whether it's a Target store or whether it's a whatever, that building we want to make it look . . . for whatever may go in there in the future.

John Braig:

I'm inclined to make a motion at the moment, and my motion would be to deny. I'm not comfortable with that, so I wonder if we should table this. I can't support what I see right now, and I think I'm not alone on this situation.

Tom Terwall:

Before you do that I guess I was leaning in the direction of Jim's tentative motion before that we're in approval of the concept, however, he wants to see several of those elements in the remainder of the stores incorporated in the Target portion. If staff is able to work that out with the developer there would be no need for it to come back to the Plan Commission again if everybody supports what Jim is saying. I know I do.

John Braig:

Well, does staff feel--I see a simple solution. Of course there's a dollar cost in there. If we would see more of a mirrored image between the retail stores and Target. I don't like the differentiation that I see there. If that can be eliminated and worked I'd agree with the suggestion.

Jim Bandura:

And you're right. I'm not looking for mirroring. I'm looking for taking some of the elements that you have on the tenant side and bringing them over to the Target side. It can be done. I can be done.

Judy Juliana:

I think we're just looking for continuity in the architectural design and how it flows. When you look at it, we want it all to flow as one continuous architectural design. We understand the Target branding and we want Target's presence to be here in Pleasant Prairie and we're glad you're coming. But as you can see we want to make sure whatever we approve architecturally is going to be cohesive, it's going to have elements throughout the design. In my opinion adding one more element would make a big difference.

John Braig:

Two.

Ajay Kuttemperoor:

Can I make just one more comment. What I'm hearing is that you're comfortable that this can be worked out at a staff level as far as the revised architecture?

Mike Serpe:

I think we're uncomfortable with Target's position.

Tom Terwall:

In answer to your question, yes.

John Braig:

Recognizing that if staff can't come to an agreement it will end up coming back to the Commission anyhow.

Tom Terwall:

I think staff has a pretty clear understanding of what our concerns are. If staff is able to work that out, that's fine with us. If it comes to butting heads, they'll just come back and say we weren't able to work it out.

Jim Bandura:

That's correct.

Mike Serpe:

I want to address another issue in this before we make the motion. In reference to security, Jean or Mike, is the security we're talking about inside and outside?

Mike Pollocoff:

They have security inside which our ordinance doesn't address and they're comfortable with an we are, too. I think it's really just two technologies passing in the night. We just need to get the

two in sync and know that we can do what we need to do out there which is we want our squads to be able to see on their screen what's going on out there and the same at dispatch. I think they want that, too, it's just how we transmit that visual to the squad without compromising their system. So we just need to have the right people talking.

Mike Serpe:

The reason I'm bringing this up is, is the security outside going to go into the multi-tenant area?

Mike Pollocoff:

Yes. We want to make sure it's continuity so a guy in a squad isn't jumping from one system to the next while the guy is walking across the parking lot.

Mike Serpe:

The whole parking lot.

Mike Pollocoff:

Yes.

Tom Terwall:

And there's been certainly plenty of other instances in the industry where I want to share part of what is in my system without letting you have access to my system. This is not rocket science I don't think.

Mike Pollocoff:

No, that's what I said. It's just a matter of protocol.

Tom Terwall:

And I can certainly understand where Target is coming from. There's no reason for our Police Department to be able to get into the inner workings of their system as long as they can provide us the pictures that we're looking for and those kind of fire walls exist. It's just a matter of putting the right people at the table.

Jim Bandura:

Through all of this discussion, if I can, I'd make a motion to approve this subject to Target incorporating elements similar if not the same as in the multi-tenant spaces, along with what Jean has read as far as the security requirements and We Energy easement agreements and all the other conditions.

John Braig:

I'll second that.

Mike Pollocoff:

Just so when we're negotiating with Target, my sense of the flavor is you guys were looking at some level of incorporation. The motion is really incorporating everything from The Shoppes to the Target side.

Jim Bandura:

Not everything.

Judy Juliana:

No, not everything.

Mike Pollocoff:

So just negotiate certain elements that are acceptable to Target and the Village that could be--

Tom Terwall:

So that when somebody comes in that it looks like one complex.

John Braig:

Right now it looks like a development with Target next to it.

Judy Juliana:

We just want it to be cohesive. We want a continuity of architectural style throughout. We don't expect Target to incorporate every element that's in there, but to have the continuity and the flavor of the prairie style that's on the other end of the design.

Mike Pollocoff:

Okay we understand.

Tom Terwall:

Motion by Jim Bandura and a second by John Braig to approve Target incorporating elements similar if not the same as in the multi-tenant spaces, along with what Jean has read as far as the security requirements and We Energy easement agreements and all the other conditions. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

John Braig:

That was for the final sight and operational plan. Do we need to similarly approve the engineering plan?

Tom Terwall:

We need a motion to approve the engineering plan.

Mike Serpe:

So moved.

Jim Bandura:

Second.

Tom Terwall:

WE HAVE A MOTION BY MIKE SERPE AND SECOND BY JIM BANDURA TO APPROVE THE ENGINEERING PLAN. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

E. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to correct the Zoning Map as a result of a wetland staking completed on the property located 3101 104th Street and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District and to rezone the portions of the property that are not wetlands into the R-4, Urban Single Family Residential District.

Peggy Herrick:

Commissioners, this first item is to correct the Zoning Map as a result of a field delineated wetlands and rezone them into the C-1, Lowland Resource Conservancy District, and the non wetland portions of the site will be zoned into the R-4, Urban Single Family Residential District.

On July 21, 2005, the Village received an application from John and Leah Schaut, owners of the property located at 3101 104th Street and further identified as Tax Parcel Number 92-4-122-252-

0013. This known as Lots 12-22, Electric Station Highlands for a wetland staking to be completed on the property.

The Village received a letter dated March 8, 2006 from the Regional Planning Commission that indicated that the Plat of Survey correctly surveyed and correctly identified the wetlands on said property as field staked on November 17, 2005.

On March 27, 2006, the Plan Commission approved Resolution #06-09 to initiate a Zoning Map Amendment to correct the Village Zoning Map as a result of a the wetland staking being completed.

Therefore, the field-delineated wetlands on the property are proposed to be rezoned into the C-1, Lowland Resource Conservancy District, and the portions of the property that are not wetlands will be rezoned into the R-4, Urban Single Family Residential District.

This is a matter for public hearing.

Tom Terwall:

Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak? Hearing none we'll close the public hearing and open it up to comments and questions from Commissioners and staff. What's your pleasure?

Mike Serpe:

Move approval.

Judy Juliana:

Second.

Tom Terwall:

MOTION BY MIKE SERPE AND A SECOND BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AMENDMENT. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

F. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to correct the Village Zoning Map as a result of a wetland staking completed for the property located in the 900 block of 102nd Street and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District and

the non wetland portions of the property will remain in the R-5 District and the entire property will remain in the UHO, Urban Landholding Overlay District.

Peggy Herrick:

This is to correct the Village Zoning Map as a result of a wetland staking completed for the property located in the 900 block of 102nd Street and to rezone the field delineated wetlands into the C-1 District and the non wetland areas would be zoned into the R-5 District, and the entire property would remain in a UHO, Urban Landholding Overlay District.

On June 30, 2005, the Village received an application from Angela Maniewski for a wetland staking to be completed on the property generally located in the 900 Block of 102nd Street and further identified as Tax Parcel 93-4-123-194-0845. This is known as Lot 23, Block 4, Carol Beach Estates Subdivision, Unit #7.

The Village received a letter dated March 8, 2006 from the Regional Planning Commission that indicated that the Plat of Survey correctly surveyed and correctly identified the wetlands on said property as field staked on December 8, 2005.

On March 27, 2006, the Plan Commission approved Resolution #06-08 to initiate a Zoning Map Amendment to correct the Village Zoning Map as a result of a the wetland staking being completed.

Therefore, the field-delineated wetlands on the property are proposed to be rezoned into the C-1, Lowland Resource Conservancy District and the non wetland areas of the property will remain in the R-5 District, which is an Urban Single Family District, and the entire property will remain in the UHO, Urban Landholding Overlay District.

This is a matter for public hearing as well.

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, we'll close the public hearing and open it up to comments and questions from Commissioners and staff.

John Braig:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO APPROVE THE ITEM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

G. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to correct the Zoning Map as a result of a wetland staking completed for the property located in the 11200 block of 3rd Avenue and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District and to rezone the portions of the property that are not wetlands into the R-5, Urban Single Family Residential District. The entire property will remain in the LUSA, Limited Urban Service Area Overlay District and any portions of the property that are located within the 100-year floodplain will remain in the 100-year floodplain.

Peggy Herrick:

This is a zoning map amendment request to correct the Zoning Map as a result of a wetland staking completed for the property located in the 11200 block of 3rd Avenue and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District, and the portions that are not wetlands to remain in the R-5, Urban Single Family Residential District. The entire property will remain in the LUSA, Limited Urban Service Area Overlay District, and any portions of the property that may be located within the 100-year floodplain will remain in the 100-year floodplain. This does not change any location of floodplain if there is any on the property.

On July 5, 2005, the Village received an application from Oscar Biondolillo for a wetland staking to be completed on the property generally located in the 11200 Block of 3rd Avenue and further identified as Tax Parcel Number 93-4-123-304-0225 known as Lot 17, Block 17, Carol Beach Estates Subdivision, Unit No. 2.

The Village received a letter dated March 8, 2006 from the Regional Planning Commission that indicated that the Plat of Survey correctly surveyed and correctly identified the wetlands on said property as field staked by the Regional Planning Commission on December 8, 2005.

On March 27, 2006, the Plan Commission approved Resolution #06-10 to initiate a Zoning Map Amendment to correct the Village Zoning Map as a result of a the wetland staking being completed.

Therefore, the field-delineated wetlands on the property are proposed to be rezoned into the C-1, Lowland Resource Conservancy District, and the portions that are not wetlands will remain in the R-5, Urban Single Family Residential District. The entire property will also remain in the LUSA, Limited Urban Service Area Overlay District, and any portions of the property that may be located within the 100-year floodplain will remain in the 100-year floodplain.

Again, this is a matter for public hearing.

Tom Terwall:

This is a matter for public hearing. Is anybody wishing to speak on this matter? Come up to the microphone and give us your name and address. Your comments will be recorded because they're part of an official record.

Alan Zahn:

My name is Alan Zahn. My address is 11262 3rd Avenue and my property is just north of that. My only concern is, as you mentioned, floodplain. I looked at some floodplain maps that Peggy had shown me and it showed that there's floodplains on that area that's not wetland. What is the next step? We're concerned with all of the water problems we have down there of housing going up and water problems. I guess my question is how do you know if there's a floodplain on there and what is the next step that the owners have to do?

Peggy Herrick:

The floodplain is an elevation of the land, and the floodplain map that I showed you indicates what the elevation is of the 100 year floodplain. The location of the 100 year floodplain on this property can be easily found by a surveyor going out and locating the elevation of the property to determine what, if any, portion is in the 100 year floodplain. That investigation to my knowledge has not been done. Nothing has been submitted to us saying there is floodplain on this property or there is not floodplain on this property. Prior to someone being able to build on this property if somebody submits for a permit they will need to show us the elevations and we'll need to make sure it's not in the floodplain because we don't allow building in the 100 year floodplain.

Alan Zahn:

Then if they do that will the area residents that live next to it be given a letter in the mail like we got for this one showing that there's going to be another hearing for the floodplain?

Peggy Herrick:

There will only be a hearing if they're proposing to change the elevation of the 100 year floodplain. They will have to locate the 100 year floodplain to see if any portion of it is on their property. If there is and they want to try to change the location of that floodplain then there would be hearings. The map that I showed you is just an illustration, and they really have to have a surveyor go out and find out where those elevation points are to see if any of that floodplain or how much encroaches on that property. So in order for them--they would have to submit a survey. If it turns out the surveyor comes in and there's no floodplain on the property then we don't do anything and they can submit for permits. But we will evaluate that and look at that prior to us issuing any permits if and when someone submits for a new home on this property.

Alan Zahn:

So before you're going to allow any construction on this property a floodplain is going to have to be done?

Peggy Herrick:

Oh, sure. That is one of the things that we review for before we issue permits.

Alan Zahn:

Thank you, Peggy.

Tom Terwall:

The fact that the owner petitioned to determine if there's any wetlands on the property is usually an indication of one of two things, either he's planning on building on the property or he's planning on selling the lot, and obviously the value of that lot is very dependent on whether or not it's even buildable. In this case I'm not sure if it's the owner that's interested in developing the parcel or if he's planning on selling it.

Alan Zahn:

He did have a for sale sign, but then after the wetland staking was done then he took it down. Now the for sale sign is gone.

Tom Terwall:

Our hands are tied. We're required by State statute once there's been a field staking of the wetlands we're required by law to rezone that portion that's in the wetland into the wetland territory. So that's why this action is being taken. We have no choice once she petitions. Thank you.

Alan Zahn:

Thank you.

Tom Terwall:

Anybody else wishing to speak? Hearing none I'll close the public hearing and open it up to comments and questions from Commissioners and staff. What's your pleasure?

Mike Serpe:

Move approval.

Judy Juliana:

Second.

Tom Terwall:

A MOTION BY MIKE SERPE HAS BEEN MADE AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE

BOARD TO APPROVE THE ZONING MAP AMENDMENT. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

H. Consider Plan Commission Resolution #06-12 to initiate a zoning map amendment within the Prairie Ridge Development.

Peggy Herrick:

The Village Plan Commission may initiate a petition for a zoning map amendment or a zoning text amendment for any change in any other map or text of the zoning ordinance. On November 21st, December 5th and December 7th of 1995, the Southeastern Wisconsin Regional Planning Commission conducted wetland stakings within what is now known as the Prairie Ridge Development which is generally located between State Trunk Highway 50, County Trunk Highway C, between 88th and 104th Avenues in the Village.

On November 17, 1997, the Village Board rezoned the single family portion of the Prairie Ridge Subdivision into the R-4, Urban Single Family Residential District, and the field delineated wetlands within the development were rezoned into the C-1, Lowland Resource Conservancy District. Within the single family portion of the development the non wetland areas of the outlots were also zoned R-4, which is Urban Single Family Residential.

Within the single family portion of the development Outlots 1 and 4 were rezoned into the C-1, Lowland Resource Conservancy District, because they were wetlands. Outlots 2, 5, 6, 25 and 28 were rezoned into the R-4, Urban Single Family Residential District, and Outlot 7 was rezoned into the C-1, Lowland Resource Conservancy District, which is shown on the slide on the wall. Outlots 5 and 6 have retention facilities within them and Outlot 25 was created as an open space area within the development.

On March 2, 1998, the Village approved the final plat and related development agreement for Stage 1 of the Prairie Ridge Subdivision which included 49 single family lots and 25 outlots on the 400 plus acre property.

On June 19, 1999, the Village approved a final plat and related development agreement for Stage 2 of the Prairie Ridge Subdivision known as Prairie Ridge Addition #1 which included 166 single family lots.

On December 14, 2005, at the request of the Prairie Ridge Homeowner's Association Board member, Dave Meyer of Wetland Waterway Consulting LLC, conducted a field investigation to determine if there are any changes in the location of the wetlands that were located in Outlot 7 as originally staked in 1995. He found that no wetlands were located within this outlot in the Prairie Ridge Subdivision. On January 3, 2006, the Village received a letter dated December 28, 2005

from the Wisconsin Department of Natural Resources that approved the finding of no wetlands within this Outlot 7 of the Prairie Ridge Subdivision. That is attached to this resolution as Exhibit 2.

In accordance with the Village of Pleasant Prairie General Zoning and Shoreland Zoning C-1 Lowland Resource Conservancy District requirements that are currently in effect, the Plan Commission shall initiate the appropriate action to change the zoning map to conform to this wetland delineation.

Furthermore, the Village's current policy has been to rezone all non wetland areas within outlots to the PR-1, Park and Recreational District, for open space preservation purposes, which is the intent of a lot of these outlots as well as for retention facilities and for wetland preservation.

Therefore, this resolution here tonight initiates and petitions to amend the official zoning map as it relates to Outlots 2, 5, 6, 7, 25 and 28 of the Prairie Ridge Subdivision and to rezone them into the PR-1, Park and Recreational District for open space preservation.

This resolution for the zoning map amendment is hereby referred back to Village staff for further study and recommendations and to schedule the public hearing. This resolution tonight that is approved is not making any determination regarding the merits of the proposed change in the zoning map but rather is only initiating the process by which the proposed zoning map can be promptly evaluated and a public hearing set for consideration later probably in June.

John Braig:

As I recall, when this was brought before the Commission before we had quite a group of residents from the Prairie Ridge area that were not in agreement with what the property owners association or the action they were taking. What I'm suggesting is when final presentation to this Commission is made on this subject that we have good input from all the residents of Prairie Ridge.

Peggy Herrick:

We will notify all the property owners in Prairie Ridge.

John Braig:

You will notify all of them?

Peggy Herrick:

We'll notify all of them plus the new Board members that are being elected either last week or tonight. I'm not sure when their meeting is to change out all the Board members.

John Braig:

And then one comment. If they do contact staff before the Commission meeting anything the staff can do to recommend a single unified presentation would be appreciated.

Tom Terwall:

. . .the letter we received of the property owners as a result of last time they were here. We got a very nice note of appreciation. After they were here, we basically told them, look, this is something that's outside the purview of the Village Board or the Plan Commission. You need to work through an attorney through your homeowners association. Every one of the members of the officers of the homeowners association that was trying to slip the thing through has been eliminated and that organization is--the letter we received was thanking us for what we did and to advise us that great progress has been made there. So that one issue--

Mike Serpe:

One other thing about that. Had the former homeowners association board been successful in having to sell off that lot, the person having the rights to the money from that lot wouldn't be the homeowner's association. It would probably be VK because VK was told that had to be left as open space, wetlands and whatever. So this thing was bigger than just turning that thing over to the homeowner's association and letting them sell it and putting that money in the coffers. The whole plan would have to be adjusted. VK would have a right to that first and foremost.

Tom Terwall:

The people that were here that night are very happy.

John Braig:

Glad to hear that. With that I would move approval.

Mike Serpe:

Second.

Tom Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY MIKE SERPE TO APPROVE RESOLUTION 06-12. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

I. Consider Plan Commission Resolution #06-13 to initiate a zoning text amendment related to lot sizes within the C-2, Upland Resource Conservancy District.

Peggy Herrick:

This Resolution 06-13 is to look at Section 420-129 of the Village Zoning Ordinance which is entitled C-2, Upland Conservancy District. The intent is to preserve and protect and enhance and

restore all significant woodland areas of rough topography or related scenic areas. Within the C-2 District parcels are proposed to be a minimum of five acres with a minimum frontage of 300 feet which the lot width could be reduced if you're on a curve or a cul-de-sac to 150 feet.

However, there are a number of wooded areas in the Village that are not five acres and yet do not have 300 feet of frontage on a public street. This resolution initiates and petitions to amend Section 420-129 related to providing some flexibility by creating an exception provision to the zoning text to allow for reduced lot size and frontage requirements for wooded areas that are less than five acres while still providing that the wooded areas be preserved.

Again, these proposed changes in the zoning text are hereby referred to the Village staff for further study and recommendation. The Village Plan Commission is not by this resolution making any determination regarding the merits of the proposed change in the zoning text, but rather is only initiating the process by which the proposed change in the zoning text can be promptly evaluated.

Tom Terwall:

What's your pleasure?

John Braig:

Move approval.

Judy Juliana:

Second.

Tom Terwall:

MOVED BY JOHN BRAIG AND SECONDED BY JUDY JULIANA TO ADOPT RESOLUTION 06-13. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Before we move onto the next item, it was pointed out to me tonight by Pastor Hackbarth that he witnessed the cutting down of a very large oak tree on the Jelly Belly property south and east of their building in that wooded area in the old Kleinschmidt farm yesterday afternoon on the Sabbath no less. Is that a violation? Can they just whack them trees one at a time?

Jean Werbie:

It was not zoned . . . coming down, but it was not zoned C-2 and it was not identified I don't think with their initial warehouse as to what was being preserved or not preserved such a long time ago when they first acquired that property. Was it a diseased tree?

--:

. . . pictures of it.

John Braig:

We're back to the tree ordinance.

Jean Werbie:

I'll have to contact Bill Kelly at Jelly Belly.

(Inaudible)

Jean Werbie:

I don't know. I'm not aware of them doing any cutting or trimming out there.

J. Consider Plan Commission Resolution #06-14 to initiate a zoning text amendment related to the Village Zoning Maps.

Peggy Herrick:

Resolution 06-14 is a resolution to initiate a zoning text and zoning map change. The Community Development Department staff in conjunction with the Village GIS Division has been transferring existing hand drawn zoning maps into digitized electronic map format for the Village. In addition to preparing these new zoning maps for the Village, Section 420-12 of the Village Ordinance entitled Zoning Maps will need to be amended to reflect these revised maps.

We intend to bring these maps to the Plan Commission for public hearing probably in early July for adoption so we can have these in a digital format and it will be a lot easier to update, interpolate and provide to the general public.

John Braig:

It's about time.

Peggy Herrick:

This resolution is not making any determinations regarding the merits of the proposed changes in the text and the maps but is rather only initiating the process by which the proposed changes in the text and maps can be promptly evaluated.

John Braig:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY JIM BRAIG TO ADOPT RESOLUTION 06-14. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. OTHER SUCH MATTERS AS AUTHORIZED BY LAW.

John Braig:

Two items. According to information I saw on the local news there are guided tours available at the Chiwaukee Prairie this coming Saturday between 10 a.m. and noon.

(Inaudible)

John Braig:

And the other item is not that significant, but the checks for the first quarter, did you guys get some?

Jean Werbie:

Nope, PR was not processed.

John Braig:

Okay.

Tom Terwall:

I can tell you for the Police and Fire Commission they came out a long time ago.

Don Hackbarth:

I'm really disturbed about this business. When I drove past there, I went up to Milwaukee for a graduation and there the guys were felling that tree. Let me tell you, I don't think this Commission has any teeth on the subject and it is very upsetting to me. It really is. I don't know what direction I want to go on this Plan Commission because I'm very upset with this because we're not moving on this.

John Braig:

The Sunday activity just sounds a little nefarious.

Don Hackbarth:

There was damage on one side of the tree but the tree was alive. When they were cutting it down it was alive. An oak tree you don't just say there's a little part here that's damaged and we're going to take it down anyway. There was no reason to take that tree down, none, and that's very upsetting to me. I don't know what to do with it.

Tom Terwall:

Can we find out, Jean?

Jean Werbie:

Yes.

Tom Terwall:

Thank you.

Don Hackbarth:

Let me just crab here tonight, too. I still look at the Nitto Denko situation, too, God bless them and everything, but there was no reason they had to put that plant there. There was no reason. I don't see this and nobody can convince me of that. I believe the Japanese came in here and told us where they were going to put their stuff and because of that we tore down a beautiful stand of woods.

8. ADJOURN.

Mike Serpe:

Move to adjourn.

John Braig:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.