

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
June 23, 2008**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on June 23, 2008. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessler; Andrea Rode; Jim Bandura; John Braig; and Judy Juliana. Larry Zarletti was excused. Also in attendance were Mike Pollocoff, Village Administrator; and Peggy Herrick, Assistant Village Planner and Zoning Administrator.

1. **CALL TO ORDER.**
2. **ROLL CALL.**
3. **CORRESPONDENCE.**
4. **CITIZEN COMMENTS.**

Tom Terwall:

If you're here for Items A or B on tonight's agenda, those are both public hearings. We would ask that you hold your comments until that item is discussed and your comments can be included as a part of the official record of the public hearing. However, if you're here for an item that is not on the agenda or if you're here for Items C or D, now would be your opportunity to speak. We would ask that you step to the microphone and begin by giving us your name and address. Anybody wishing to speak?

5. **NEW BUSINESS.**
 - A. **PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT at the request of Mark Molinaro, Jr., of Partners in Design Architects, agent, for Prairie Ridge Investors, LLC, property owner, for a Zoning Text Amendment to repeal and re-create Section 420 Attachment 3, Appendix C, Specific Development Plans, entitled "21. Prairie Ridge Commons Planned Unit Development" of the Village Zoning Ordinance in order to accommodate the proposed Building 3 for the Prairie Ridge Commons multi-tenant commercial development located at the southeast corner of 75th Street and 99th Avenue in the Prairie Ridge Development.**

Tom Terwall:

We have a request from staff that we consider both of these at one time although it will take two separate votes. So I need a motion to do that.

John Braig:

So moved.

Judy Juliana:

Second.

Tom Terwall:

A MOTION BY JOHN BRAIG AND A SECOND BY JUDY JULIANA TO COMBINE ITEMS A AND B FOR DISCUSSION AND PRESENTATION PURPOSES BUT TWO SEPARATE VOTES. ALL IN FAVOR SAY AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATION PLANS on behalf of Mark Molinaro Jr., of Partners in Design Architects, agent, for Prairie Ridge Investors, LLC, property owner, for the proposed 12,000 square foot Building 3 of the Prairie Ridge Commons multi-tenant commercial development, which includes a request for a Conditional Use Permit to allow a vehicular drive-through facility for a future tenant to be located in the easternmost tenant space in Building 3, located at the southeast corner of 75th Street and 99th Avenue in the Prairie Ridge Development.

Peggy Herrick:

Item A is a public hearing and consideration of a zoning text amendment to amend the PUD for the Prairie Ridge Commons development. And Item B is a public hearing to consider a conditional use permit including site and operational plans for the proposed 12,000 square foot Building 3 of the Prairie Ridge Commons which is a multi-tenant commercial development. They are requesting a vehicular drive-thru and that required a conditional use permit and the building requires site and operational plan approval. Again, these are all related but separate actions will be required for both these two items.

Prairie Ridge Commons, as you are aware, this is located south of Highway 50, east of 99th Avenue and north of 76th Street. Previously, the Village has approved a CSM to subdivide the property into two parcels. There was a zoning text amendment approved in 2006 which was the Prairie Ridge Commons PUD. A conditional use permit including site and operational plans were approved on November 13, 2006, which allowed the two Prairie Ridge Commons buildings to be built on the east site, and you can see on the overhead those are buildings at 9780 and 9740 76th Street. Also, site and operational plans were approved for a TGI Fridays on June 11, 2007, which was going to be where this building is now being constructed. They have decided not to build on

this site. Therefore, this Building 3 is proposed to be 11,999 square foot building located on 1.76 acres which is known as Lot 2 of CSM 2559 with the addressed proposed at 9800 76th Street.

To date, the following tenants are located within Buildings 1 and 2. They include Starbucks, FedEx/Kinkos, Verizon and Cost Cutters, with Kay Jewelers, Verizon Wireless and Portrait Innovations pending. The entire 4.165 acre property is zoned B-2 (PUD) which is Community Business District with a PUD Overlay District. The Planned Unit Overlay Ordinance was initially approved as Ordinance No. 07-28 which was approved by the Village Board on May 15, 2000 and repealed and recreated as Ordinance No. 07-28 and adopted by the Village Board on July 16, 2007, which pertains mainly to sign regulations within the larger Prairie Ridge development. In particular to this site Ordinance No. 06-56 which is the Prairie Ridge PUD was originally adopted on November 20th as Ordinance No. 06-56 and this ordinance is proposed to be repealed and recreated to accommodate this Building 3 on this site. I will get into further operational plans further down in the memo.

The zoning text amendment or the PUD, again, is to recreate this existing PUD to accommodate this Building 3. In general the amendments to the text of the Prairie Ridge Commons PUD addresses the fact that another multi-tenant commercial building is proposed to be constructed rather than the previously approved restaurant that was noted in the last PUD. The PUD is attached for your review and reference.

In addition, I mentioned there is a conditional use permit that they are seeking in that they are requesting a drive-thru be accommodated in this new building, and drive-thrus do require a conditional use permit. So the following are the findings of facts related specifically to the conditional use permit.

1. Mark Molinaro Jr., of Partners in Design Architects, Inc., agent, for Prairie Ridge Investors, LLC, property owner, has applied for a Conditional Use Permit, including Site and Operation Plans, in order to allow a vehicular drive-thru facility for a future tenant to be located in the easternmost tenant space in the westernmost Building 3, to be addressed as 9800 76th Street, of the Prairie Ridge Commons multi-tenant commercial building.
2. The property is zoned B-2 (PUD), Community Business District with two Planned Unit Development Overlays, Ordinance No. 07-28, which refers to the sign ordinance for the entire development and Prairie Ridge PUD and Ordinance No. 06-56. These PUDs were previously discussed.
3. Pursuant to Section 420-119 D. (2) (j) of the Village Zoning Ordinance, B-2 Districts allow for drive-thru facilities with the approval of a Conditional Use Permit.
4. According to the Site Plan, to facilitate the on-site navigation and queuing of the drive-thru customers, Building 3 site is being constructed with a vehicular drive-thru lane, service window, and bypass lane located on the west and south sides of the building.
5. In order to prohibit parking within the drive-thru vehicle queuing areas, specifically along the south and west sides of Building 3, these lanes shall be posted with no parking signs.

6. The hours of operation when the public is allowed to enter or remain on site for business purposes in the B-2 District are limited to 5:00 a.m. to 12:00 midnight. The future tenant and the drive-thru facility shall comply with these hours of operation.
7. As information to the property owner and any tenant, pursuant to the Zoning Ordinance, a liquor store with a drive-thru facility is not a use that is allowable use in the B-2 District. Furthermore, State Statutes prohibit the serving of open intoxicant via a drive-thru facility.
8. Given the location of the drive-thru facility, in a multi-tenant commercial building within a large commercial area, and surrounded by non-residential uses and abutting public roads on three sides, one of which is 75th Street or Highway 50, a heavily traveled State Trunk Highway, the Village staff does not foresee any adverse affects of the drive-thru facility, such as noise, to the neighboring properties or tenants.
9. Notices pertaining to the drive-thru facility Conditional Use public hearing were sent to adjacent property owners via regular mail on June 9, 2008 and notices were published in the *Kenosha News* on June 9, 2006 and June 16, 2008.
10. The petitioner was emailed/faxed a copy of this memo on or about June 20, 2008.
11. According to Chapter 420, Article XVIII of the Village's Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials and information presented at the public hearing that the project as planned will not violate the intent and purpose of all Village Ordinance and meets the minimum standards for granting of a Conditional Use Permit.

I'm just going to talk a little bit about the site and some specifics about the building because this is also a site and operational plan approval for the site and the building.

Building 3 is designed and will be constructed of the same blend of exterior building materials, the same architectural themes, and will have the same appearance and character of the existing Prairie Ridge Commons Buildings 1 and 2. On the overhead, this is Building 3 that's being proposed. This is the existing north elevations of Buildings 1 and 2 so you can see there is similar architecture.

Due to Building 3 having triple frontage, the building will incorporate aesthetically interesting architectural elements not only the front elevation of the store, but also on all side and rear building elevations. The incorporation of recessed trash/recycling container enclosures and the use of decorative spandrel glass are elements that make the development more visually and architecturally pleasing from all sides.

There are corner tower elements. The applicant has noted that the two building corner tower elements located on the west side of Building 3 as shown on the original site and operational plan and they may be relocated to the east side of Building 3. The purpose of the corner tower relocation to the east side of the building is to accommodate the request of a potential tenant in the west portion of Building 3. The Village staff has reviewed the option of locating the corner towers to the east side of Building 3 and staff finds it acceptable to locate the corner towers on either side of Building 3.

Off street parking, the existing buildings, Buildings 1 and 2, they provide 119 spaces total; building 3 will provide another 74 spaces. There will be a total of 193 spaces and that includes handicapped parking spaces. Pursuant to the Village zoning ordinance 183 spaces are required including handicapped parking spaces, so they do meet and exceed the minimum requirements for this building.

All paved areas throughout the site will incorporate concrete vertical curbing. The applicant notes for the Building 3 site that 71 parking spaces are required pursuant to the zoning ordinance. Tenant spaces within Building 3 are not under contract. Therefore, the 75 parking spaces are based on the applicant making some assumptions of the future tenant mix within the development. However, it is important to note that pursuant to the Village zoning ordinance, on-site parking is calculated on a per tenant space use. For instance, a restaurant uses require more parking, which will reduce the amount of available parking for other uses. As a result, Prairie Ridge Commons tenants will be limited to the amount of parking provided on the site taking and shall take into consideration the parking required for all of the uses. In other words, whenever a newly proposed tenant applies to the Village for a new occupancy, the Village will calculate the parking requirements, and if the tenant mix within Prairie Ridge Commons cannot parking-wise accommodate the proposed tenant, then the application for that tenant will have to be denied.

Cross Access - The applicant's counsel has prepared a Cross Access Easement & Use Agreement between Parcel A, which is Buildings 1 and 2, and Parcel B, which is Building 3, of CSM 2559, the Prairie Ridge Commons development. The easement and agreement document details and allows the joint use and maintenance of the lots as it pertains to vehicular and pedestrian access, parking and maintenance. The easement and agreement shall be executed and recorded with Kenosha County Register of Deeds Office and a copy of the recorded document shall be forwarded to the Village. Attached is a copy of that Cross Access Agreement.

Security - The developer/property owner shall enter into and comply with a specific Security Agreement for the Prairie Ridge Commons development. In lieu of compliance with a specific Security Agreement, the developer/property owner shall agree that the Prairie Ridge Commons development shall be in compliance with Village Chapter 410 of the Village Municipal Ordinance entitled Security Ordinance relating to the requirement of digital security imaging and storage devices in planned unit developments. The Village and Mr. Molinaro, the property owner's representative, have commenced positive discussions pertaining to a Security Agreement. The Village staff, together with the property owner and the owner's security consultant, shall formulate a Security Agreement for the Prairie Ridge Commons development.

Initially, it appears that the required security equipment for the entire development which is all three buildings will be located within a utility room in Building 3.

Exterior Lighting - Exterior parking lot will be 20 foot tall decorative pole-mounted fixtures and exterior building lighting shall and will be the same type and style of lighting that was installed for Buildings 1 and 2. As you can see on the slide, this is the lighting fixture that was installed and will be installed in this next phase.

Storm water runoff will be collected on-site via catch basins and will be conveyed with a system of underground pipe and directed to an existing 24 inch storm water main in 76th Street. Storm water will be directed and conveyed to an existing regional retention basin within the Prairie

Ridge Development that was appropriately sized to accommodate storm water runoff for this development.

Landscaping, Open Space & Irrigation - Landscaping will be provided as required by the zoning ordinance in setback areas and within parking lot islands/peninsulas. All lawn areas are proposed to be manicured lawn. All on-site lawn and landscaped areas shall be irrigated. The 76th Street and 99th Avenue street trees are existing. Pursuant to the B-2 zoning district regulations, each development site shall provide for a minimum of 30 percent open space. The Building 3 site of the Prairie Ridge Commons development will have 30.7 percent open space. Additional landscaping shall be shown on the Plans and shall be planted along 99th Avenue, between the drive-thru lane and the property line; along 76th Street between the Fire Department Connection and the property line; along 76th Street, east of the Fire Department Connection, between the drive-thru lane and the property line. Those areas are indicated on this map in green.

Development Site Access - No new access drives for Building 3 are proposed. Public road access to the entire Prairie Ridge Commons development site is from two driveways from 76th Street, which are aligned with The Shoppes at Prairie Ridge on 76th Street. There shall be no direct access from Prairie Ridge Commons from 75th Street which is Highway 50 or from 99th Avenue.

Signage - There is a 16 foot tall primary monument sign which is proposed for Building 3. And they also depict a secondary monument sign which is proposed to be located along 76th Street.

Trans 233 Approvals - On October 16, 2006, the applicant confirmed with Ms. Susan King of the Wisconsin Department of Transportation that the 50 foot setback associated with Trans 233 applies only to the building. Other site improvements, such as parking lots, lighting and signs, can be located within the 50 foot Trans 233 setback.

With that, this is a public hearing for a zoning text amendment to amend the PUD ordinance to amend it to allow this type of use instead of a restaurant solely, conditional use permit to allow a drive-thru in this new building, and site and operational plans to allow the construction of this 12,000 square foot multi-tenant building.

Tom Terwall:

Thanks, Peggy. Before I open it up to the public, Mark, is there anything you wanted to add?

Mark Molinaro:

A couple of items.

Tom Terwall:

For the record, give us your name and address. First off, Gene Ventura couldn't be here.

Mark Molinaro:

I'm sorry, Mark Molinaro, Partners in Design Architects, 600 52nd Street, Kenosha. So he wasn't able to get here today, but he's waiting I'm sure impatiently for me to send him an e-mail when I'm done which I will do. Just very briefly what we're proposing to build is all but identical to what is currently out there. The issue with TGI Friday, I'm not sure who's here. Anyone here

from the press? Without speaking out of school, they simply didn't show up at the closing table is what it amounted to. Literally Gene Ventura had his attorney there at the closing room, everything in order ready to go and they simply didn't show up. We weren't alone. There were 16 sites across the country that TGI Friday pulled out of. In the casual family dining or whatever they call it category there's a number of them that have pulled back. There are some that are still doing deals, in fact quite a few, but there are several of them that pulled out of certain markets.

So without getting into the details which I'm not privy to myself, they are probably—if it hasn't been resolved yet it will be resolved shortly in terms of a legal action that was taking by Gene. So we're here asking you for a development that is contrary to what we talked about a year plus ago. I guess at this point it is what it is. We went back to all of the restaurants that expressed some interest before TGI Friday and they're just not able to pull the trigger right now. So, Gene's forte is developing retail space and that's what he's going to do with the property. For all intents and purposes it's what we've done previously. We've got a number of comments that are here from the staff none of which are of concern to us. I don't believe any of which are of concern to the Village either. We worked well with Jean again and Tom Shircel and I know Tom will be back next week if I'm not mistaken and a couple things we'll take care of.

As far as the security goes we committed in the first development that we'd put the security in. We held off on that with an agreement with the Village waiting to see what Shoppes at Prairie Ridge did behind us, maybe to piggyback all that together. I'm afraid that didn't go so well. We're not a part of that. We'll be putting in security for all three buildings with this construction problem. IPC is who did all of the layout for the Shoppes behind us. That's who we've consulted with. I have a preliminary layout from them today here that I talked to them about and we marked it up so they'll have something to me in the next week or so and I'm sure we'll get that resolved in pretty short order.

Landscaping for us is not an issue. There's some dimensions they'd like to see, some stuff with the fire department. I had a couple of very specific questions I wanted to address with the Commission here. I guess one in particular and I don't know if you've got—maybe this plan will work. In the previous approval part of the PUD one of the reductions in the requirements that was allowed and granted over the overall PUD was that we could reduce the 30 foot fire department requirement for the road width around the building to 24 which we did, and then some other zero lot line issues here because the parking lots were shared. We have some setback requirements that were reduced here. Even for TGI Friday at the time they reduced some of the setbacks on that parcel.

So we've complied with all of that, but I noticed as I went through the comments today, I was out of the office Friday and I know Jan sent them to me, so I was looking through them today and about an hour before I came out here I realize that this drive lane here which is the access to the drive-thru, this is 24 foot but I've got this at 18. I'm showing and this hasn't come out real clear but these are the fire truck turning radiuses here and here that I can still maneuver through there. So what I'm saying to you is I recognize that we may have an issue on our plan. I will talk with both Tom as well as Chief Guilbert to make sure. They didn't comment on that. They also didn't change that text. So I don't know if it was just overlooked on your end as much as it was on mine or if they're okay with it at 18 feet. I'm pretty sure I've got plenty of room to make that work if it has to go to 24 to match the rest of the development as approved previously. I will work that out so that the Chief is satisfied that I haven't put him in a situation that doesn't work for him.

I thought there was one other item. I guess it's the same issue. We've reduced this point here which takes you out of the drive-thru lane. It's happened to everybody I suppose. You get in the lane and say I either don't have time to wait for all the cars or I've changed my mind or whatever. So that's an escape route. Or, also for the mailman, mail carrier, we'll have the mail box back here for this particular building. The other two are on this side. It will be in a similar location over here. Or deliveries so they don't have to go back through this drive through lane. They'll go ahead and pull out here and then into the main access point. I had narrowed that down to 12 feet with some discussion with Tom and Jean in an effort to minimize any potential traffic coming in there. It's a one-way. I don't know if that's going to affect the Chief either. That tightens that up. It's a pretty wide access, ingress and egress, but if he can't make that turn we'll go ahead and accommodate that in some way as well.

Mike Pollocoff:

I think, Mark, in my discussions with him, we didn't want—the drive around the building as a drive-thru is something he didn't want to get a truck stuck in. So we're looking at that access point off of 76th as the engine access and then being able to go around. Or, you're going to go out on 99th rather. So we're going to stay away from that drive-thru and not use that for the engine and we'll go around it the other way. So we need to make sure that the turning radius is on that access off of 76th.

Mark Molinaro:

That's fine. That was laid out and designed—

Mike Pollocoff:

If they don't get narrowed up we'll be okay.

Mark Molinaro:

No, they have not gotten narrowed up. I'd probably still just for my own feel better. He's got some more comments on here. I'll contact him just to make sure that we're not kicking ourselves down the road. Other than that if you've got specific questions certainly let me know. We have, as I mentioned before the meeting started, we have significant tenant interest. We think we'll fill up the first two buildings here pretty quickly. We've got one tenant, Portrait Innovations, was mentioned. I think they've applied for a permit already. The other two are in the lease negotiations to finish those first two buildings.

I have a potential for a 3,500 square foot tenant in this third building. I can't disclose that today, and then we continue to have interest in the balance of it so we're optimistic that we'll be under construction here shortly with leases coming. Then we hope for Target. Thanks.

Tom Terwall:

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

Don Hackbarth:

A couple of comments. I take it now Building 3 does not have a tenant, is that correct, Mark?

Mark Molinaro:

We have a letter of intent with a tenant that has gone back and forth, LOI, letter of intent. It sets the parameters for a final lease or initial lease draft. So, no, nothing finalized yet.

Don Hackbarth:

The reason I'm saying that is because are we premature in approving this if a tenant doesn't require the drive arounds and all that kind of jazz?

Mark Molinaro:

No, and I'll tell you why. We think this building should be constructed either way with or without a drive-thru. The tenant I'm talking to, and that's the other point I meant to address, the tenant we're talking to right now that we have a letter of intent with is not the drive-thru tenant. We think this building—it's important to plan for it. If we filled it up right now and didn't have a tenant commit to that drive-thru but we ended up with tenants committing to all that space, we would still build it the way we've got it proposed. And it would be our recommendation to the Village and the Plan Commission that you approve it that way because long-term, as you know, tenants come and go. Hopefully they stay long enough, but long-term this site is going to require a drive-thru for somebody.

Don Hackbarth:

So what we're saying then is you're putting the plan on the table and if a tenant does not require the drive-thru that can be modified later?

Mark Molinaro:

No, I'm saying it's our intention to build it anyways. The first two buildings when we came forward we had Starbucks already. I was able to tell you that at the meeting that we had Starbucks in line and the drive-thru was going to accommodate them. Today I just can't tell you who that tenant is. A couple are looking at it but I can't confirm it.

Don Hackbarth:

The other thing related but non-related about that whole development out there is looking at the construction that's going out on Highway 50, a lot of construction in front of that site. I don't ever recall seeing that, or is that something that doesn't come to Plan Commission?

Mike Pollocoff:

As far as the road construction?

Don Hackbarth:

Yes, the DOT plan for that highway.

(Inaudible)

Mark Molinaro:

If I could, it ties into the question on the drive-thru. Do you have the elevations again? The issue with the towers you see the east elevation. That is the east elevation of the original drive thru with the original buildings that we did with Starbucks. And the tenant that would like the west end cap on this building we initially wanted to put the towers on the east end, and I'm going to take a . . . from Tom and Jean here for a second because they said, no, we'd really like to see it moved to the west end so we did. Then we got a tenant that said with all that stuff and the facade and those towers we can't get our signage up there and if you want us you've got to move them. So then I came back and said can we go back to where we had them? That's why you have the difference in what we're going to do with the elevation. So our drive-thru will look exactly like that east elevation. We're just taking the towers from one end and moving them to the other end. I always tell my clients if I change the carpet a little bit on you you wouldn't know the difference. And if we built it one way or the other way unless you really look at the drawings you'd probably say, hey, that's what they told us. So that's the difference in the comments on elevation.

Mike Serpe:

Tom, I'd move approval of the zoning text amendment.

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 TEXT AMENDMENT AND TO REPEAL AND RECREATE PRAIRIE RIDGE COMMONS PUD. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. We'll need a motion to approve the conditional use permit including site and operational plans.

Don Hackbarth:

So moved according to the comments.

Wayne Koessl:

Second, Chairman.

Tom Terwall:

MOVED BY DON HACKBARTH AND SECONDED BY WAYNE KOESSL TO APPROVE THE CONDITIONAL USE PERMIT INCLUDING THE SITE AND OPERATIONAL PLANS AS INDICATED IN THE ATTACHED MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Give Jean a call, Mark.

(Inaudible)

C. Consider Plan Commission Resolution #08-16 to initiate a zoning map amendment as a result of wetland stakings being completed.

Peggy Herrick:

On April 7, 2008, the Village received an application from Vicki Luebke, owner of a property who requested a wetland staking to be completed. Her property is located west of 140 115th Street in the Village. It's identified as Tax Parcel 93-4-123-293-0370 known as Lot 7 of Block 14 in the Carol Beach Estates Subdivision Unit 2. For your information, after the wetland staking was completed the property owner combined this vacant property with the house adjacent to it so it does have a new Tax parcel Number of 93-4-123-293-0376.

The Village received a letter dated June 11, 2008 from the Southeastern Wisconsin Regional Planning Commission that indicated that the plat of survey correctly surveyed and correctly identified the wetlands on the property as field staked on May 6, 2008. In accordance with the Village of Pleasant Prairie Zoning Ordinance, 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 with the wetland delineated plat of survey.

This resolution is initiated in that process. This resolution is not making any determinations regarding the merits of the proposed change in the zoning map but rather is initiating the process by which the proposed zoning map can be promptly evaluated and a public hearing can be set.

Tom Terwall:

Peggy, was the adjacent lot that it was combined with had that previously been field staked for a wetland staking?

Peggy Herrick:

No, it had not and there does not appear that there are wetlands on that.

Tom Terwall:

There are adjacent parcels but one is wet and one isn't?

Peggy Herrick:

One has a house on it.

Mike Pollocoff:

One is developed.

Peggy Herrick:

If you look at the map on the overhead the blue area are the wetlands identified in that area by the Regional Planning Commission, and the house is right directly to the east of that lot.

Tom Terwall:

Comments or questions? What's your pleasure?

Judy Juliana:

Move to approve.

Don Hackbarth:

Second.

Tom Terwall:

MOVED BY JUDY JULIANA AND SECONDED BY DON HACKBARTH TO ADOPT RESOLUTION 08-16. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

D. Review and consider Chapter XI, "Transportation Element" of the Multi-Jurisdictional Comprehensive Plan for Kenosha County.

Peggy Herrick:

This is Chapter XI of the Multi-Jurisdictional Comprehensive Plan. It's the Transportation Element. This Transportation Element is one of the nine elements of the Comprehensive Plan that is required by State Statute to comply with compiling goals, objectives, policies and programs to guide the future development on various modes of transportation in the County. The modes of transportation addressed in this element include public transit, transportation for persons with compromised mobility and transit-dependent users, arterial streets and highways, collector and land access streets, bicycle and pedestrian facilities, railroads, air transportation, trucking, water transportation.

In addition, the following comprehensive planning goals related to the transportation element are set forth in the State Statutes and were addressed as part of this planning process. They include: Promotion of the redevelopment of land with existing infrastructure and public services to maintain and rehabilitation of existing residential, commercial and industrial structures; encouragement of neighborhood designs that support a range of transportation choices; encouragement of land uses, densities and regulations that promote efficient development patterns and relatively low municipal, State government and utility costs; encouragement of coordination and cooperation among nearby units of government; provide adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand ; provide an integrated, efficient and economical transportation system that affords mobility, convenience and safety and that meets the needs of all citizens including transit-dependant citizens and persons with disabilities.

In this chapter it spells out transportation goals, objective, policies and programs. This is, again for design year 2035. Policies which are steps or actions to achieve transportation goals and objectives and programs which are projects or services intended to achieve transportation policies are also identified. Goals and objectives were developed using transportation data inventoried in Chapter VI which the Plan Commission has already reviewed, and general planning issue statements and goals and objectives related to transportation that was defined in Chapter VII which was also reviewed by the Planning Commission.

The general transportation issues identified in Chapter VII include improving transit service and accessibility, providing a variety of transportation choices which was considered to be important by Kenosha County residents. As you may recall they had a SWOT analysis which identified strengths, opportunities, weaknesses and threats to the County, and so a lot of this came from all those public participation activities. Participants expressed a desire to expand alternative modes of transportation including the addition of more bike paths and lanes and providing pedestrian access to open spaces. Concerns about increased traffic congestion due to development was also expressed.

Further analysis of public input received during the comprehensive planning process and the transportation facilities and services data inventoried in Chapter IV refines the general transportation issues into the follow more specific transportation issues: Multi-modal transportation system issues, transit issues, transportation services for the elderly and persons with disability issues, bicycle and pedestrian facilities issues, airport issues, interregional transportation issues, streets and highway issues. Recommendations have been developed to address each of these transportation issues through the identification of goals, objectives and programs.

Each of the goals, objectives and policies corresponds to the transportation issues that I just related. First, there are some overall transportation goals and that is to improve transportation infrastructure and land use design to support a range of transportation choices for all citizens. They specify objectives and recommendations. The second goal under overall transportation goal and objectives is to provide an integrated, efficient and economical transportation system that afford mobility, convenience and safety and that meets the needs of citizens including transportation dependent residents, persons with disabilities and elderly. They set forth policies and a list of programs that are currently available to help assist in meeting those goals and objectives.

The next set of goals is to provide an integrated and efficient and economic transportation system that affords mobility, convenience, safety and that meets all the citizens including transit-depend residents and workers, persons with disabilities and the elderly. Another goal is to provide for public transportation system in Kenosha County that efficiently serves County residents and businesses and the anticipated land use patterns set forth in an upcoming chapter which will be our land use chapter which has yet to be put together. But that will be one thing that we need to look at to make sure that that all works together. Again, they list objectives, policies and programs that are available to meet those goals. They do give some local government recommendations that they should review transportation services currently provided by the County to make sure they're taking advantage of programs that are out there.

Another program is to provide an integrated and efficient and economical transportation system that affords mobility, convenience and safety to persons with disabilities and the elderly as well as other transit-dependent users. Again, they set forth policies and programs and local government recommendations to communities as to how to meet these requirements.

The next set of recommendations and issues related to bicycle and pedestrian facilities. One of the goals is to provide for bicycle and pedestrian facilities in Kenosha County that safely and effectively serve the anticipated land use development patterns that will be set forth in the land use section, and the land use map will be in that section. Provide options for bicycles and pedestrian travel as an alternative to personal vehicle travel. Again, they list objectives and policies. One thing I want to note in here is that they do in Table XI-1, which is on page 11c, they have recommendations for sidewalks and areas and planned developments and things like that. This differs from our current ordinance so we need to take a look at this and let the County know that this does conflict with some of our Village ordinances and they would need to add another footnote. But there are certain areas where the Village ordinance requires sidewalks and certain areas where they do not. So that will need to be provided to the County.

Another goal is to provide and maintain a safe air transportation system to meet the non-commercial travel and freight services needed to the County residents and businesses. Again, they provide goals and objectives and policies and programs.

Another goal is to provide region-, nation-, and world-wide transportation access to efficiently move people and goods into and through the County to promote a strong economy. Again, policies include promote the efficient and safe movement of people and goods into the County through I-94 and all the interchanges, support the transportation systems management recommendations. There are programs that are listed to support the development of the KRM commuter railroad; develop studies; continue to administer and enforce the County highway access management plan. There are local recommendations, again, to receive the policies of communities along the I-94 corridor should also work with Kenosha County to help reduce traffic congestion in areas around I-94 interchanges.

The next category are street and highway issues. One of the goals there is to maintain a street and highway system that efficiently serves the anticipated land use development patterns as set forth on a map that's going to be in the land use section. Again, they list objectives, policies and programs and give local recommendations. So that's a general overview of this element. If there are any questions or any comments?

Mike Pollocoff:

One comment I guess I'd like to have the Commissioners consider, and I think kind of—over the last five years more specifically, and even more specifically over the last year, but there is some areas of the Village, albeit pretty minor, the Cooper Road area, 82nd, where Kenosha Area Transit has gone through the Village and then the Association of LakeView Corporate Park pays for a trip out and a trip out during the day. Then the Village pays the Kenosha Area Transit for transit stops at St. Catherine's and Prairie Ridge Senior Housing. We could have purchased more but the City declined to extend more routes here.

In the same intervening period Kenosha County started a western Kenosha County Transit pickup which is a little bit more personalized service but it's still using transit dollars to service everybody west of the Interstate. So as we look at where Pleasant Prairie fits in transit, we have a situation where Kenosha is covered, the west end of the County is paying for everybody west of the County. Pleasant Prairie has been paying for what service we have now. Somers I'm not fully aware but I think they have some limited coverage similar to what we have before we started paying for it.

That coupled with the Village signing onto strategies to focus more transportation efforts onto the KRM, I think it's just a policy decision that the Village should be making as to—remember we're looking out to 2035. We're not saying we want bus service today, but as we go out to 2035, and if the Village is going to support the KRM, at what point is the Village entitled or able to be part of the Kenosha Area Transit System when those transit dollars do not come to the Village, they go to the City, nonetheless the Village taxpayers are funding those through their gas tax, through their income tax, through their sales tax, they're funding the Kenosha Area Rapid Transit System, and we have to pay on top of that to obtain the service and then we can't be guaranteed that we'll even obtain it if we're willing to pay for it over and above everything else that we receive.

That isn't addressed in the plan. To be honest with you I'm not sure if they just don't think there's people in Pleasant Prairie that don't need bus service. Our demographic profile is a fairly

wealthy community kind of decentralized, but as you know just from the developments you've been approving we do have our densities starting to creep up in the area where we've planned for density to increase. And the demographic makeup of the Village is turning a little bit older in certain areas. Do we really want to say in a plan that's going to last until 2035 are we okay not having bus service?

Right now at LakeView Corporate Park they can't get a bus out there before 7 I believe, and a lot of the companies start at 6, just maintaining a good employment base or people that can have access to jobs. There's some deficiencies that need to be addressed. But when we're not at the table it makes it hard to do that. My fear is this plan tends to formalize that absence and we just end up getting whatever is left over or whatever the City is willing to provide.

Mike Serpe:

I have a question. Mike, how does that federal grant with the City work on the federal dollars that are really supporting the majority of the Kenosha Transit Authority?

Mike Pollocoff:

The logic is they should be willing to provide service to anybody that's in that transit planning district and for a while there were willing to do that. But they said you have to pay for anything over and above what we get in grants which makes sense. They have to pay for it and if we want it we'd have to pay for it. But now that's not the case. Even if the change of administration changes that, if in fact the Village makes a policy decision that we want transit in a certain area or we want to be able to get more buses earlier to LakeView Corporate Park and we think that's from a policy standpoint something that we want to make sure gets funded we should be able to receive it because otherwise we forego the money we put into the transit fund that somebody else is using for something else.

Don Hackbarth:

This chapter I think is a very important chapter and I think this has to be written right for Pleasant Prairie. I think with the gasoline prices that's going to be more and more of a demanding issue coming up in the future. A couple of days ago there was an article in the *Chicago Tribune* about their mass transit, and they were going through one line, and I don't remember what it was anymore, but they were going through from where it started and as it moved in towards the loop. It said six months ago it was mediocre, and now they're saying there isn't a place to sit, there's not a place to stand, people are standing on the platform because so many people are deciding the car isn't a good option anymore and they're actually taking mass transit. I don't see gas prices going down. I think in our area if we're getting shortchanged on mass transit we definitely need to get into that mix to make sure that our voice is heard. This is an important document.

Mike Pollocoff:

It's a timely subject right now.

Don Hackbarth:

Yes. And the other thing, too, is I've got a question. Let me just take one road, 39th Avenue. When that was built or now that it's in who maintains Kenosha side versus Pleasant Prairie?

Mike Pollocoff:

The County is 39th Avenue.

Don Hackbarth:

And then from the line into the City who takes care of that? Do they take care of it or the County?

Mike Pollocoff:

The County does from 128th up to 86th or 85th. Really it's more like if 84th existed.

Don Hackbarth:

But I'm saying into the City who takes care of that?

Mike Pollocoff:

Kenosha County.

Tom Terwall:

Into the City, Mike.

Mike Pollocoff:

Oh, into the City, that's where the City limits is at about 84th.

Don Hackbarth:

The reason I say that is because it's a no brainer. I drive a motorcycle. You're driving down 39th Avenue in the City my brains are mush in my helmet. The minute we cross that line into Pleasant Prairie it's smooth. So whatever is happening in the Village, and if anybody is crabbing about the street system here, go live in Kenosha and drive a motorcycle.

Mike Pollocoff:

I think the other thing to point out is that President Steinbrink in his capacity in the Assembly is he's able to secure a grant for us to get a bus for special needs and disability people to transport because those people weren't able to move around. We are able if we want to do that work our own system up in the creation, but it doesn't—again, you're creating a stand alone system in what should be an area of rapid transit. It kind of runs counter to everything. But we picked up some money and we have been able to do better on highway aids to improve the streets. We've gotten

grants for that. But I think reluctantly it seems like the train has left the station as far as the major corridor being at the KRM rather than at another location, so it focuses everything downtown. But there's no transit that focuses downtown from Pleasant Prairie.

Mike Serpe:

Would you recommend a Board decision for you to carry this on with the City to identify this in a plan, or is it a recommendation from the Plan Commission to the Board?

Mike Pollocoff:

What is probably the best thing to do is to make a recommendation from the Plan Commission to direct the staff to recommend some changes that would address those issues, get them incorporated back into the plan that SEWRPC is adopting. And then if not we would have to go to the Board and if that wouldn't be the case—I don't think that would be the case, but if it wouldn't be the case then the Village would have to object to this chapter.

Wayne Koessler:

Mr. Chairman, I don't think we should approve this chapter until we have input as a Village on our transportation needs.

Mike Serpe:

I'll second that, Wayne.

Tom Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY MIKE SERPE TO NOT ADOPT CHAPTER XI UNTIL SOME LANGUAGE IS PUT IN THERE TO ENSURE THAT THOSE IN PLEASANT PRAIRIE GET MASS TRANSIT. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? As I read this thing it's interesting to me that our brothers in Madison come up with all these grand and glorious ideas about what we in the local community should do for mass transit, and yet when we do come with a plan that both Kenosha, Racine and Milwaukee County all agree on for transportation and a plan to fund the thing which is amazing in my mind that we're able to do that, and we can't get the support of the State because the rest of the State is not impacted, they're not going to pay for it. And after telling us we can't do it they have no trouble adopting one of these programs for us and what we should be doing. That's bull crap.

Wayne Koessler:

Mr. Chairman, the whole fault of the KRM system is there's no ground transportation to the stations or from it and it's never going to go. They sit up there, that whole group. The first meeting we at Wingspread years ago I told them they should have a half percent sales tax or a quarter percent sales tax so they could fund it and do the ground transportation. Who is going to take it to Milwaukee and then you get downtown Milwaukee where are you going to go, hitchhike?

Don Hackbarth:

The other shame is that years ago we abandoned the North Shore. Boy could we use that piece right away now.

Mike Serpe:

One comment. Peggy, you, Tom and Jan are going to have your hands full in the near future for a while and I'm glad to see you're stepping up. And if there's anything that any of us can do to help you out in the interim let us know. It will be tough times for a little while.

John Braig:

I'd like to ask if we can include on the agenda for our next meeting the subject of our sign ordinances, open discussion, application, enforcement, that whole thing. I'm thinking of the numerous violations that we see from temporary signs, flags, pendants.

Mike Serpe:

John, is this for discussion only? The Village Community Development is in a little bit of a quandary right now with help, and I don't want to put—just a discussion?

John Braig:

Just a discussion. I'm thinking, for example, it's just an observation, that I think it's called the Bentz Road Tree Farm has three signs there. Are those in compliance and if they're not what are we going to do about it?

Peggy Herrick:

Those signs in particular are grandfathered in and they are allowed to have those signs there because they're an agricultural zoning.

John Braig:

Three of them?

Peggy Herrick:

I believe so, yes.

John Braig:

And there's others in the same category, subdivisions. For example, Creekside Crossing there's about four or five signs out there. And they're not temporary. Yes, they're temporary because they're not set in concrete but they're there winter and summer.

Don Hackbarth:

I know this may be other discussion, but I've got a number of people coming to me asking when the shopping center or the little thing on 31 or 104th. Where is that thing so I can tell them?

Mike Pollocoff:

We haven't really proceeded that far in part because we haven't received too much more from the developer. He's in the residential market as well as the commercial market and that might be affecting his decisions as to how quickly it proceeds. The other part of that was he'd be looking for the Village to help assist in either getting the State or the Village to make those improvements at State 165 and Old Green Bay Road where it's deficient now to get it over and above what it needs. We can't handle what we have there now. And in our transportation plan that's not a priority right now. So I think there's some work that has to happen but I really think the market has to catch up with his plan, and I think there's a little competition between that and Village Green.'

Don Hackbarth:

The last comment I have is July 2nd I'll be celebrating my 30th anniversary at the church. Johnny Walker Red works very nice as a present.

6. ADJOURN.

John Braig:

So moved.

Jim Bandura:

Second.

Tom Terwall:

All in favor say aye.

Voices:

Aye.