

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
September 29, 2008**

A special meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on September 29, 2008. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessler; Jim Bandura; John Braig; Andrea Rode; and Larry Zarletti. Judy Juliana was excused. Also in attendance were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director; Peggy Herrick, Assistant Village Planner and Zoning Administrator and Tom Shircel, Assistant Village Planner and Zoning Administrator.

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

Tom Terwall:

Now would be your opportunity to speak. If you wish to speak, we'd ask that you begin by giving us your name and address. Is there anybody wishing to speak under citizens; comments? Hearing none we'll move on to Item 5, New Business. And before I turn it over to Jean, Jean we just want to welcome you.

Jean Werbie:

Thank you.

Tom Terwall:

It's good to see you and you have the floor.

- 5. NEW BUSINESS**
 - A. Consider the Declaration of Covenants, Conditions, Restrictions and Easements for Pleasant Prairie Land Association, Inc. for the request of PDD LLC, KABA Development, LLC, the Community Development Authority of the Village, owners of the properties generally located west of I-94 and between County Trunk Highway "C" (CTH "C") on the north and County Trunk Highway "Q" (CTH "Q") on the south in the Village of Pleasant Prairie.**

Jean Werbie:

I'd like to just begin by giving a little bit of background information. As you know, we have been working with various parties including Abbott for the past two years along with the Village, the CDA and KABA all coming forth before you as the applicants, along with the professional and legal teams and the architects and the engineers and the planners and everyone here at the Village, and we've been working diligently to formulate the PDD-1 document which is actually the zoning for this particular property located between Highway C and Highway Q in the Village. And in doing that our PDD-1 document had a number of parts or sections to it that we needed to fully explore, evolve into very detailed documents to work with us and to be used as working documents for the development of this property.

So what we did is we put together the PDD-1 first and, again, you know that we did that back in 2007, and the PDD-1 falls into the category of being a very unique, large scale development in the Village of Pleasant Prairie with very distinctive project characteristics whereby the development could not use traditional zoning districts of the Village but rather we had to create a very specific, unique ordinance for this particular property. The intent of this development is that it was to be developed as a gated campus-like community whereby the gated portion would not be accessible to the general public but rather to the users of this property and to those that would benefit and work at this property, and it's centered on healthcare and pharmaceutical aspects and workings and development and research and development and their related businesses.

We created new zoning districts, CA properties for the core area of the Abbott properties, and then the periphery zoning districts, the business districts, the BA-1 and 2 and 3 Districts owned by KABA and by Abbott to develop for commercial-related purposes.

Part of the PDD-1 document in the ordinance required that we put together some very detailed documents to help to implement this ordinance, one of which is the development agreement. And we worked on that development agreement and that development agreement, again, was passed by this community by all bodies a number of months ago. And that development agreement specified in detail all of the necessary requirements for public and private infrastructure, for all the improvements of the property, the development of the property and the use of that property.

And collectively this development agreement then had a couple of different elements that needed to still be completed for us to help to implement the development agreement and the PDD-1 document, and those included the bylaws which we had worked through, but the second part were the declarations which are before you tonight, the declaration of covenants, conditions and restrictions. Those were sent out to you in the mail last week.

The purposes of the declaration are then to provide the assistance in the preparation and the processing of all of the development applications that are going to come to this community in the development of this property. It will provide for direction for the construction, ownership, maintenance for the funding of the categories of improvement. And at the end of this declaration document is a Table 1 and it's in various colors for you. I'm sure you've had a chance to take a look at this, but it talks about the category of the improvements, the public and private improvements, who the improvements are to be constructed by, who they're going to be owned by, who they going to be maintained by, and the maintenance funding and mechanism for that purpose.

The declarations themselves go through very detailed definitions and explanations as to how we're going to accomplish everything, because as you know this may be developed with one company or multiple companies, so we tried to take into account all the various scenarios when putting together these declarations.

We have with us this evening counsel or representatives from the developer as well as the Village that if you have any specific questions as to how these declarations were put together or how we are going to be implementing them going forward I'm sure they'd be happy to come up and answer any questions for you. But, as you know, with any development in the Village, whether it's a commercial development or a residential development we do require these detailed declarations to help implement how this process is going to work its way out over the years and to make sure that everyone who is sitting here today has the same understanding ten and fifteen years from now as to how this property is going to develop and how it's going to develop and how the responsibility for the infrastructure is going to be monitored and maintained.

So with that, I could go through any details of the declarations for you. What we intend to do is to request this evening approval of the declaration document from the Village Plan Commission, from the Village's CDA as well as from the Village Board, and then there are a couple of administrative things that do need to be cleaned up, some typos and things that we'd like to get finalized, and in the next two weeks we would like to get signatures on this document from all respective parties.

Tom Terwall:

Jean, in going through this it's obvious that there was a whole lot of work done and a whole lot of time invested. To the best of your knowledge are all of the issues resolved? There are not show stoppers any more are there?

Jean Werbie:

No, no major issues, no minor issues, no show stoppers. We've worked through all the details, that's correct.

Tom Terwall:

Before I open it up to the Commissioners I want to commend everybody that was involved in this process, because in reading this it's obvious that a whole lot of thought and a whole lot of time and a whole lot of effort went into this. I'm convinced that the Village is definitely protected. I want to commend everybody involved in this process.

Mike Serpe:

Just to continue on, Tom, I made a little list. It's Abbott Labs, the Village of Pleasant Prairie staff, administration, KABA, State of Wisconsin, Kenosha County, the legal representation from Abbott and from Pleasant Prairie, the staff from Abbott, especially Marilyn, that's a pretty impressive group of people who put together a project that's going to have an effect on this County and this State long after we're gone.

Tom Terwall:

Anyone else?

Don Hackbarth:

I'd just like to hear from a representative from Abbott. You've gone through a lot of property development and how does this work for you and how do we compare with all the developments that you've gone through before.

Marilyn Kasko:

Marilyn Kasko, Abbott Park, Illinois. I haven't gone through any developments with Abbott like this. I have done a large development in Texas, about 2,700 acres that was similar. This actually has been broken down more detailed even than that because Jean was encouraging us to do that to really work out the fine details. The difference here is that we really purchased this land for future expansion but, again, you always have to think of support services needed by a corporate campus or possible multi tenants and that's where it got a little bit more complicated. Ike Shupe, our attorney, that also did the project I worked on in Texas has done more of these and is more experienced so he may be able to address that. I'm not sure if he wants to, but for me I've done two major ones and then three smaller ones that were 400 acres each. One was in Dulles across from Dulles Airport where I was working for another company and we did one. Again, not as detailed because we didn't carry it this far into the future. We left more open. This has been much more of a road map. For anyone who follows me or Ike or Jean or any of us will be able to read these documents and see the intent and the road map basically. I think it's a very comprehensive, really a win-win project.

By the way, I can't stand up here and not tell you what your team has been like. I mean we laugh about it because we've all got one goal. It was so incredible to work with Mike and Jean and your attorneys and the traffic people and every engineer. Just a wonderful experience really. I have to say it was the best ever. It was definitely a win-win and I thank you for giving us a great team to work with. I don't know if that answers your question.

Tom Terwall:

I just have one comment. I hope the one in Washington in Dulles you didn't have to deal with Congress in that one at all did you?

Marilyn Kasko:

No, we did go to Richmond, though. Thank you.

Wayne Koessl:

Mr. Chairman, unless there's questions from the members I'd move we approve it.

Don Hackbarth:

Second.

Tom Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY DON HACKBARTH THAT WE APPROVE THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

6. ADJOURN.

John Braig:

Move adjournment.

Larry Zarletti:

Second.

Tom Terwall:

Moved and seconded to adjourn. All in favor say aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.